

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON TEXAS

Randy Aviles,

Plaintiff,

vs.

#4:22-CV-03571

Rigoberto Salvidar,
City of Pasadena, TX,

Defendants.



NAEGELI
DEPOSITION & TRIAL

(800) 528 - 3335

NAEGELIUSA.COM

Nationwide

COURT REPORTING

LEGAL VIDEOGRAPHY

REMOTE DEPOSITIONS

TRIAL PRESENTATION

LEGAL TRANSCRIPTION

COPYING AND SCANNING

LANGUAGE INTERPRETERS

VIDEOTAPED DEPOSITION OF

CHIEF JOSHUA BRUEGGER

TAKEN ON
FRIDAY, JANUARY 5, 2024
9:22 A.M.

Powerful
LITIGATION SUPPORT

937 BROADWAY STREET
MYRTLE BEACH, SOUTH CAROLINA 29577

2	4
1 APPEARANCES	1 EXAMINATION INDEX
2	2 Page
3 For the Plaintiff:	3
4 Dimitri Dube, Esquire	4 EXAMINATION BY MR. DUBE 8
5 The Cochran Firm	5
6 1825 Market Center Blvd., Suite 500	6
7 Dallas, TX 75207	7
8 (214) 651-4260	8
9 (214) 651-4261 (Fax)	9
10 ddube@cochran-texas.com	10
11	11
12 For the Defendant:	12
13 Norman Giles, Esquire	13
14 Lewis Brisbois	14
15 24 Greenway Plaza, Suite 1400	15
16 Houston, TX 77046	16
17 (713) 659-6767	17
18 (713) 759-6830 (Fax)	18
19 Norman.giles@lewisbrisbois.com	19
20	20
21	21
22	22
23	23
24	24
25	25
3	5
1 APPEARANCES CONTINUED	1 EXHIBITS INDEX
2	2 PLAINTIFF'S EXHIBIT Page
3 For the Defendant:	3
4 Steven D. Selbe, Esquire	4 (ALL EXHIBITS WERE RETAINED.)
5 Gordon Rees Scully Mankhani, LLP	5
6 3/D International Tower	6 19 VIDEO 85
7 1900 W. Loop S #1000	7
8 Houston, TX 77046	8 32 VIDEO 174
9 (713) 961-366	9
10 (713) 961-3938 (Fax)	10 34 DEPOSITION TRANSCRIPT (COOPER) 145
11 sselbe@grsm.com	11
12	12
13	13
14	14
15	15
16	16
17	17
18	18
19	19
20	20
21	21
22	22
23	23
24	24
25	25

<p style="text-align: right;">6</p> <p>1 S T I P U L A T I O N S</p> <p>2 It is stipulated among Counsel that this deposition</p> <p>3 is being taken pursuant to the Federal Rules of</p> <p>4 Civil Procedure; and that all objections, except as</p> <p>5 to the form of the question, are reserved until the</p> <p>6 time of trial.</p> <p>7 It is also stipulated among Counsel for the</p> <p>8 respective parties and the deponent that the</p> <p>9 deponent will exercise the right to read and sign</p> <p>10 this transcript.</p> <p>11</p> <p>12 The deposition is taken pursuant to notice</p> <p>13 and/or agreement, in the above-entitled cause</p> <p>14 pending in the above-named court and pursuant to</p> <p>15 the Federal Rules of Civil Procedure.</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">8</p> <p>1 VIDEO TECHNICIAN: All right. Mark, would</p> <p>2 you please swear in the witness.</p> <p>3 Thereupon, JOSHUA BRUEGGER, being first duly sworn</p> <p>4 by the Court Reporter, as hereinafter certified,</p> <p>5 testified as follows:</p> <p>6 MR. DUBE: We're ready to start?</p> <p>7 COURT REPORTER: Yes, sir.</p> <p>8 EXAMINATION</p> <p>9 BY MR. DUBE:</p> <p>10 Q Good morning, sir. How are you?</p> <p>11 A Good, thank you.</p> <p>12 Q We met briefly out in the hall. My name</p> <p>13 is Dimitri Dube. I'm an attorney and I represent</p> <p>14 Mr. Randy Aviles in this lawsuit.</p> <p>15 A Yes, sir.</p> <p>16 Q Okay. And you know the lawsuit we're</p> <p>17 talking -- we were referring to is lawsuit Aviles</p> <p>18 versus the City of Pasadena and Rigoberto Saldivar.</p> <p>19 A Yes, sir.</p> <p>20 Q And you are familiar with that lawsuit?</p> <p>21 A Yes, sir.</p> <p>22 Q Okay. All right. We are here in Myrtle</p> <p>23 Beach.</p> <p>24 A Yes, sir.</p> <p>25 Q And this is where you work. Correct?</p>
<p style="text-align: right;">7</p> <p>1 V I D E O T A P E D D E P O S I T I O N O F</p> <p>2 C H I E F J O S H U A B R U E G G E R</p> <p>3 T A K E N O N</p> <p>4 F R I D A Y , J A N U A R Y 5 , 2 0 2 4</p> <p>5 9 : 2 2 A . M .</p> <p>6</p> <p>7 VIDEO TECHNICIAN: We're on the record in</p> <p>8 the video deposition of Chief Joshua Bruegger in the</p> <p>9 matter of Aviles versus Saldivar. Today's date is</p> <p>10 January 5th, 2024. We're located at Myrtle Beach</p> <p>11 City Hall in Myrtle Beach, South Carolina. The</p> <p>12 court reporter is Mark Hagood. My name is Arthur</p> <p>13 Daugomah with Naegeli Deposition and Trial. The</p> <p>14 time is now 9:22. Will counsel please identify</p> <p>15 themselves for the record?</p> <p>16 MR. DUBE: Dimitri Dube on behalf of</p> <p>17 plaintiff Randy Aviles.</p> <p>18 MR. GILES: Norman Giles. I represent the</p> <p>19 City of Pasadena.</p> <p>20 MR. SELBE: Steve Selbe for off-- Officer</p> <p>21 Saldivar.</p> <p>22 MR. DUBE: And Larry Taylor from my</p> <p>23 office, Cochran Firm, will also be joining us at</p> <p>24 some point. I think when he comes or not, he's</p> <p>25 going to make his appearance as well.</p>	<p style="text-align: right;">9</p> <p>1 A Correct.</p> <p>2 Q Okay. What do you do?</p> <p>3 A Assistant city manager.</p> <p>4 Q Okay. How long have you been in that</p> <p>5 role?</p> <p>6 A October 30th of 2023.</p> <p>7 Q Okay. And -- bef--- October 30th of 2023?</p> <p>8 A Yes, sir.</p> <p>9 Q Okay. So -- so very recently?</p> <p>10 A Yes, sir.</p> <p>11 Q When did you leave employment with the</p> <p>12 City of Pasadena?</p> <p>13 A October 6th of 2023.</p> <p>14 Q And before we go any further, I just want</p> <p>15 to get some preliminaries out of the way. Is there</p> <p>16 any reason why you would not be able to give</p> <p>17 truthful testimony today?</p> <p>18 A No.</p> <p>19 Q Okay. Are you on any medications or</p> <p>20 anything else that would prevent you from -- from</p> <p>21 remembering or giving truthful testimony?</p> <p>22 A No.</p> <p>23 Q And you are ready to proceed today?</p> <p>24 A Yes.</p> <p>25 Q Okay. How did you prepare for this</p>

<p style="text-align: right;">10</p> <p>1 deposition?</p> <p>2 A I reviewed the reports, previous</p> <p>3 testimony.</p> <p>4 Q Which reports did you review?</p> <p>5 A The internal affairs report and the</p> <p>6 documents that go with that for this particular</p> <p>7 incident.</p> <p>8 Q Okay. Is that -- by internal affairs</p> <p>9 report, are you referring to the report from</p> <p>10 Sergeant Hamilton to you at the conclusion of -- of</p> <p>11 the investigation of the Schenk case?</p> <p>12 A I -- I reviewed that as well, but the one</p> <p>13 that detective Mauricio Reyes drafted or authored</p> <p>14 for this -- the Aviles shooting.</p> <p>15 Q Okay. Okay. So you've reviewed the one</p> <p>16 for the Schenk shooting and the one for the Aviles</p> <p>17 shooting?</p> <p>18 A Yes.</p> <p>19 Q Okay. Anything else that you reviewed?</p> <p>20 A No.</p> <p>21 Q Okay. Did you review any videos?</p> <p>22 A No.</p> <p>23 Q Okay. Did you speak to anybody?</p> <p>24 A An attorney.</p> <p>25 Q Anybody besides an attorney?</p>	<p style="text-align: right;">12</p> <p>1 Q Okay. And is that in the Houston area --</p> <p>2 A Houston, Texas. Yes.</p> <p>3 Q When did you graduate?</p> <p>4 A December of 1995.</p> <p>5 Q And what did you do after --</p> <p>6 A Correction, '94.</p> <p>7 Q Ninety-four?</p> <p>8 A Yes.</p> <p>9 Q What did you do after you graduated from</p> <p>10 high school?</p> <p>11 A Started college in January of 1995 at Sam</p> <p>12 Houston State.</p> <p>13 Q What was your major?</p> <p>14 A Criminal justice.</p> <p>15 Q They have a good program --</p> <p>16 A They do.</p> <p>17 Q -- there, right?</p> <p>18 A A very good program.</p> <p>19 Q Did you complete it?</p> <p>20 A I did.</p> <p>21 Q Okay. So when did you graduate from</p> <p>22 college?</p> <p>23 A My undergraduate, I graduated in December</p> <p>24 of '97.</p> <p>25 Q Oh, so you finished a little early?</p>
<p style="text-align: right;">11</p> <p>1 A No.</p> <p>2 Q Okay. Tell us a little bit about how --</p> <p>3 you know, where you grew up.</p> <p>4 A Where I grew up?</p> <p>5 Q Uh-huh.</p> <p>6 A Pretty much the Houston area. I lived</p> <p>7 overseas for a couple of years as a teenager, but</p> <p>8 other than that, it's been the Houston area.</p> <p>9 Q Where overseas?</p> <p>10 A Indonesia.</p> <p>11 Q Okay. How long were you there?</p> <p>12 A Two years.</p> <p>13 Q Okay. Why did you --</p> <p>14 A My dad -- work. My dad's work.</p> <p>15 Q Okay. What did he do?</p> <p>16 A He worked for ExxonMobil.</p> <p>17 Q How old were you when you were in -- in</p> <p>18 Indonesia?</p> <p>19 A Seventh/eighth grade, so whatever that</p> <p>20 makes you; 12, 13, somewhere in there.</p> <p>21 Q And did you come back here for high</p> <p>22 school?</p> <p>23 A I did.</p> <p>24 Q Where did you go to high school?</p> <p>25 A McCullough High School in the Woodlands.</p>	<p style="text-align: right;">13</p> <p>1 A Yes.</p> <p>2 Q Okay. How so?</p> <p>3 A Took a bunch of classes.</p> <p>4 Q And so --</p> <p>5 A Year 'round.</p> <p>6 Q Okay. So you took summer classes?</p> <p>7 A Yes.</p> <p>8 Q Okay. What did you do immediately after</p> <p>9 college?</p> <p>10 A Started with the Pasadena Police</p> <p>11 Department March 2nd of 1998.</p> <p>12 Q So you graduated in '97?</p> <p>13 A I graduated in December of '97.</p> <p>14 Q Uh-huh.</p> <p>15 A Started with the Pasadena Police</p> <p>16 Department in March of nin--- 1998.</p> <p>17 Q Did you do anything between?</p> <p>18 A A little bit of substitute teaching.</p> <p>19 Q Okay. What did you substitute teach?</p> <p>20 A Conroe Independent School District.</p> <p>21 Q Is that where you lived?</p> <p>22 A I lived in the Woodlands area, so yes.</p> <p>23 Q And were you employed with the Pasadena</p> <p>24 Police Department from 1998 until you left this past</p> <p>25 October?</p>

<p style="text-align: right;">14</p> <p>1 A Correct.</p> <p>2 Q All right. So I just want to go through</p> <p>3 the various roles you served --</p> <p>4 A Okay.</p> <p>5 Q -- in the Pasadena Police Department.</p> <p>6 What was your first role there?</p> <p>7 A I was a cadet in the police academy.</p> <p>8 Q Uh-huh. How long were you there?</p> <p>9 A I graduated at the end of August of '98.</p> <p>10 Q Okay.</p> <p>11 A So approximately six months.</p> <p>12 Q That's A six-month program. Okay. Did you</p> <p>13 graduate with any special distinction or honors?</p> <p>14 A I graduated at the top of the class</p> <p>15 academically.</p> <p>16 Q Congrats.</p> <p>17 A Thanks.</p> <p>18 Q And what was your next role?</p> <p>19 A I was a police officer assigned to night</p> <p>20 shift.</p> <p>21 Q Okay. Actually, let's go back a little</p> <p>22 bit. While you were -- while you were at the police</p> <p>23 academy, did you have occasion to meet Officer</p> <p>24 Rigoberto Saldivar?</p> <p>25 A Yes.</p>	<p style="text-align: right;">16</p> <p>1 first contact with the drivers? Like what -- what -</p> <p>2 - what was your actual role in the task force?</p> <p>3 A Both. One would be going out and making</p> <p>4 traffic stops, trying to find intoxicated drivers.</p> <p>5 And then also, if another officer stopped somebody</p> <p>6 that they believed to be intoxicated, they would</p> <p>7 call one of the D.W.I. task force officers over and</p> <p>8 then we would go conduct the investigation at that</p> <p>9 point and take it over.</p> <p>10 Q Okay. What did conducting the</p> <p>11 investigation entail?</p> <p>12 A Administering field sobriety tests,</p> <p>13 interviewing the subject and looking the person over</p> <p>14 and, you know, seeing if you observe any signs of</p> <p>15 intoxication.</p> <p>16 Q Anything else?</p> <p>17 A That's it.</p> <p>18 Q And making the arrest if -- if it was</p> <p>19 warranted?</p> <p>20 A Making the arrest if it was warranted and</p> <p>21 then the intoxilyzer.</p> <p>22 Q Okay. Did you do any -- like what -- what</p> <p>23 would a typical investigation in a -- a D.W.I. case</p> <p>24 look like?</p> <p>25 A Normally, it was interview the driver,</p>
<p style="text-align: right;">15</p> <p>1 Q Tell us about that.</p> <p>2 A He was in the police academy with me.</p> <p>3 Q Okay. So for the entire time period?</p> <p>4 A Yes, sir.</p> <p>5 Q Did you guys have a friendship or</p> <p>6 relationship during that time?</p> <p>7 A Just coworkers. Didn't hang out outside</p> <p>8 of work or anything.</p> <p>9 Q Do you have an idea where he finished in</p> <p>10 the class?</p> <p>11 A I have no idea.</p> <p>12 Q Okay. So now, I'm sorry, let's go back to</p> <p>13 who you are, roles. So the night shift patrol.</p> <p>14 Okay. So a regular police officer. Okay. How long</p> <p>15 were you in that role?</p> <p>16 A Until April of 2000.</p> <p>17 Q Okay. And what -- what role did you move</p> <p>18 to?</p> <p>19 A D.W.I. task force.</p> <p>20 Q And what did that role entail?</p> <p>21 A Impaired driving.</p> <p>22 Q Uh-huh.</p> <p>23 A Identifying, apprehending impaired</p> <p>24 drivers.</p> <p>25 Q So were you -- were you an officer making</p>	<p style="text-align: right;">17</p> <p>1 administer field sobriety tests, make determination</p> <p>2 whether they were intoxicated. If they were, make</p> <p>3 the arrest, take them to jail and then offer them a</p> <p>4 breath test.</p> <p>5 Q Did you have any other role as a case --</p> <p>6 as the case would proceed?</p> <p>7 A Provide courtroom testimony often times.</p> <p>8 Q So you have testified in court before?</p> <p>9 A A bunch, yes.</p> <p>10 Q Okay. Have you ever had your deposition</p> <p>11 taken before?</p> <p>12 A Yes.</p> <p>13 Q How many times?</p> <p>14 A Probably five or six.</p> <p>15 Q Okay. What kind of cases were those in?</p> <p>16 A I know at least two were related to</p> <p>17 crashes.</p> <p>18 Q Uh-huh.</p> <p>19 A And then I know at least three out of</p> <p>20 lawsuits since I've been the chief -- or was the</p> <p>21 chief.</p> <p>22 Q Were you personally named in those suits?</p> <p>23 A One of them, I was.</p> <p>24 Q Uh-huh. Do you recall the circumstances</p> <p>25 of that case, or the all--- the allegations in those</p>

<p style="text-align: right;">18</p> <p>1 cases?</p> <p>2 A Each of the cases or the case where I was</p> <p>3 personally named?</p> <p>4 Q Sorry. Do you recall the allegations in</p> <p>5 the case that you were personally named?</p> <p>6 A Yes. It -- it was an allegation of</p> <p>7 excessive force in an arrest and it was -- I either</p> <p>8 failed to train or failed to supervise. One -- I --</p> <p>9 one of -- one of those or both of those. I don't</p> <p>10 remember specifically.</p> <p>11 Q Uh-huh. Was it alleged that you had used</p> <p>12 excessive force?</p> <p>13 A No.</p> <p>14 Q So you were just the chief and it was --</p> <p>15 A I was -- yes.</p> <p>16 Q Okay. And what was the nature of the</p> <p>17 force that was used in that case?</p> <p>18 A Physical force.</p> <p>19 Q Okay. Was it a shooting?</p> <p>20 A No.</p> <p>21 Q Okay. Do you recall the outcome of the</p> <p>22 case?</p> <p>23 A Personally, I was released from the</p> <p>24 lawsuit.</p> <p>25 Q Uh-huh.</p>	<p style="text-align: right;">20</p> <p>1 lawsuit were?</p> <p>2 A They were excessive force. I know that.</p> <p>3 Q Okay. So but give me a little -- can you</p> <p>4 give me a little more factual detail, like what was</p> <p>5 the circumstance of the force that was used?</p> <p>6 A I know he was struck like with a fist,</p> <p>7 hit. I don't remember if there was any other -- I -</p> <p>8 - I don't remember that he was alleged to be kicked</p> <p>9 or anything like that. I don't recall that, but --</p> <p>10 Q Uh-huh.</p> <p>11 A All I recall is strikes.</p> <p>12 Q What area in Pasadena did -- did the for--</p> <p>13 - was the force used?</p> <p>14 A Where at?</p> <p>15 Q Yes.</p> <p>16 A It was at a Denny's. Around the 4100</p> <p>17 block of Spencer Highway.</p> <p>18 Q How did they allege that you failed to</p> <p>19 supervise the officers in question?</p> <p>20 A I honestly don't know.</p> <p>21 Q Okay.</p> <p>22 A I'm not sure.</p> <p>23 Q Okay. You -- you don't recall reading the</p> <p>24 complaint or petition?</p> <p>25 A I did, but I don't remember -- I -- I</p>
<p style="text-align: right;">19</p> <p>1 A And then the case settled.</p> <p>2 Q Do you recall for how much?</p> <p>3 A I do not.</p> <p>4 Q Do you recall the name of the officer who</p> <p>5 was named in the lawsuit?</p> <p>6 A There was a bunch.</p> <p>7 Q Uh-huh.</p> <p>8 A I know one of them was Officer Brinker.</p> <p>9 Q Uh-huh.</p> <p>10 A I -- I don't remember the other ones.</p> <p>11 Q Okay. What year was this?</p> <p>12 A The lawsuit or when it happened?</p> <p>13 Q Both.</p> <p>14 A I don't know. I believe it settled last</p> <p>15 year.</p> <p>16 Q Okay.</p> <p>17 A I think in early '23 or late '22.</p> <p>18 Q Okay.</p> <p>19 A I believe. And I'm just going to -- I</p> <p>20 don't know exactly when it happened. My guess is a</p> <p>21 couple of years earlier just because of I know how</p> <p>22 it plays out --</p> <p>23 Q Uh-huh.</p> <p>24 A But I couldn't tell you a...</p> <p>25 Q Do you recall what the allegations in the</p>	<p style="text-align: right;">21</p> <p>1 don't remember exactly what -- I -- I don't know.</p> <p>2 Q Okay. Okay. All right. So we're still</p> <p>3 going through your background now. So now you're in</p> <p>4 D.W. task for--- D.W.I. task force.</p> <p>5 A Correct.</p> <p>6 Q How long were you there for?</p> <p>7 A May or June of twenty--- 2006, I believe.</p> <p>8 Q So remind me, when -- you started back</p> <p>9 there in 2000?</p> <p>10 A April of 2000.</p> <p>11 Q Okay.</p> <p>12 A Let me correct that. It was the beginning</p> <p>13 of the -- I want to say January of 2006, I left</p> <p>14 there and went to day shift patrol. I had promoted</p> <p>15 in there.</p> <p>16 Q Okay.</p> <p>17 A And so I went to day shift patrol in</p> <p>18 January of 2006.</p> <p>19 Q Okay. Tell us about the promotion.</p> <p>20 A In October of 2004, I was promoted to</p> <p>21 sergeant and I retained the D.W.--- I was supervisor</p> <p>22 then in the D.W.I. task force until the end of</p> <p>23 December of 2005.</p> <p>24 Q Okay. So just to recap, you -- so you</p> <p>25 were D.W.I. task force as a regular officer from</p>

<p style="text-align: right;">22</p> <p>1 about I guess April 2000 to when you were promoted. 2 Is that correct? 3 A Yes. 4 Q Okay. And then when you got promoted, you 5 became the -- the -- the -- I guess the lead? 6 A I was the sergeant in the D.W.I. task 7 force from October of 2004 until the end of 2005. 8 Q Gotcha. Okay. What is the process to get 9 promoted? 10 A It's varied in the organization, but 11 because it's a 143 local government code agency in 12 Texas that governs the promotional process, and so I 13 guess you could go by default. If there's not an 14 alternative promotional process, it's a test, a 15 competitive test. 16 Q Uh-huh. 17 A And then the -- the candidates are ranked 18 based on test score and seniority points, and that 19 creates the eligibility list and then you're 20 promoted off that as openings come open. 21 At one point, we also later on had an 22 alternative promotional process which involved a 23 test and then assessment center as well and then 24 combine the two of those together and that created 25 an eligibility list.</p>	<p style="text-align: right;">24</p> <p>1 of discipline? 2 A No. Discipline -- no. Discipline came 3 from above. 4 Q So you moved to day shift patrol? 5 A Yes. 6 Q Okay. And that was in '06. Correct? 7 A Correct. 8 Q Okay. Tell us about your responsibilities 9 there. 10 A First line supervisor over squad and day 11 shift patrol officers. And it was a -- a similar 12 role. It was just more broad because the officers 13 assigned -- or duties weren't as narrowly focused, 14 and so they would respond to calls for service, 15 traffic, crime, disturbances, things like that. And 16 so my responsibility was still, you know, approving 17 reports, day-to-day oversight, payroll, you -- 18 working through, you know, some of the minor 19 complaints, but really just day-to-day supervision 20 of -- of the officers under my -- in my squad. 21 Q How many officers were -- were you 22 responsible for? 23 A It depends, but anywhere from usually six 24 to ten. 25 Q And you were the first -- I guess first</p>
<p style="text-align: right;">23</p> <p>1 Q Okay. 2 A So there's been two different processes in 3 the organization. 4 Q Which process was in play when you were 5 promoted? 6 A When I was promoted -- 7 Mr. Giles: Object to form. 8 By Mr. Dube: 9 Q To sergeant. 10 A When I was promoted to sergeant, it was a 11 test only. 12 Q Test only? 13 A Yes. 14 Q How did your responsibilities change when 15 you went from a member of the task force to a 16 sergeant in charge of the task force? 17 A At that point, I was a first line 18 supervisor. 19 Q Uh-huh. 20 A And so day-to-day oversight of the 21 officers that were assigned to that unit, 22 scheduling, approving reports, payroll, respond to - 23 - you know, when officers would call or citizens 24 would call, would respond. 25 Q Did you have any responsibilities in terms</p>	<p style="text-align: right;">25</p> <p>1 line of supervisors is the word -- is the word you 2 used before? 3 A The first line supervisor, yes. 4 Q Okay. So give me a sense of the hierarchy 5 in -- in the chain of supervision at Pasadena. 6 A So again, it's varied. 7 Q Okay. 8 A At one time, we had patrol officers, 9 sergeants, lieutenants, captains, assistant chiefs 10 and the chief. 11 Q Uh-huh. 12 A I don't know. Maybe 15-ish years ago, 13 they did away with the captain position. And so for 14 that time period, it's been officers, sergeant, 15 lieutenant, assistant chief, chief. 16 Q So at the time of this -- of this 2008 -- 17 I mean, 2018 through twen--- 2021, the process that 18 was in place was officer, sergeant, lieutenants, 19 assistant chiefs and chief? 20 A Correct. 21 Q Okay. So what were the roles of the 22 lieutenants? 23 A Lieutenants would have a squad of 24 sergeants and they would oversee the sergeants, make 25 sure the sergeants, if you will, were doing their</p>

<p style="text-align: right;">26</p> <p>1 job or their assignment.</p> <p>2 Q How many sergeants were there in the</p> <p>3 department, you know, throughout the years?</p> <p>4 A It's -- it's either been 39 or 40.</p> <p>5 Q Okay.</p> <p>6 A It's -- I would say gone back and forth,</p> <p>7 but it's been one of those two numbers throughout my</p> <p>8 career.</p> <p>9 Q Why those two numbers?</p> <p>10 A At one point when there was a downturn in</p> <p>11 the economy, they cut some positions. And then as</p> <p>12 the economy returned, they added the position back.</p> <p>13 Q And how many lieutenants?</p> <p>14 A There were nine until July of last year.</p> <p>15 Now there are ten.</p> <p>16 Q Okay. How about assistant chiefs?</p> <p>17 A It's -- it's fluctuated between two and</p> <p>18 three throughout my almost 26 years there.</p> <p>19 Q Uh-huh.</p> <p>20 A Most of the time, it's been three, but</p> <p>21 there's been times where it's been two.</p> <p>22 Q Okay. And one chief?</p> <p>23 A And one chief.</p> <p>24 Q I guess we discussed the role of the</p> <p>25 lieutenants. What is the -- what were the role --</p>	<p style="text-align: right;">28</p> <p>1 part, investigations, you have a sergeant that</p> <p>2 oversees a squad of investigators. And usually, they</p> <p>3 have a specific area, a specialty area, if you will.</p> <p>4 We have person violence crimes, we have burglary and</p> <p>5 theft; we have auto theft. And so there's a</p> <p>6 sergeant for each of those investigative divisions.</p> <p>7 Q Uh-huh.</p> <p>8 A Narcotics has a sergeant. The training</p> <p>9 academy has a sergeant. So really, all of the areas</p> <p>10 have at least a sergeant.</p> <p>11 Q Uh-huh.</p> <p>12 A And then depending on the span and control</p> <p>13 and how many, you know, officers are there will kind</p> <p>14 of drive the number of sergeants that will be in</p> <p>15 that -- that area.</p> <p>16 Q How about the D.W.I. task force? What</p> <p>17 other task forces have been present while you were</p> <p>18 with -- with the police department?</p> <p>19 A I guess what do you define as a task</p> <p>20 force?</p> <p>21 Q What do you -- you know, because it -- it</p> <p>22 has a specific name, a D.W.I. -- are there any other</p> <p>23 task forces or anything that operates similar to the</p> <p>24 D.W.I. task force at Pasadena?</p> <p>25 A You have to Gulf Coast violent offenders</p>
<p style="text-align: right;">27</p> <p>1 what was the role and responsibilities of the</p> <p>2 assistant chief?</p> <p>3 A So the assistant chief then oversee the</p> <p>4 lieutenants. They -- and they also regularly meet</p> <p>5 with the chief and -- at -- at -- once you are in</p> <p>6 the assistant chief role, it's more setting policy,</p> <p>7 setting direction, kind of the vision, the goals for</p> <p>8 the organization. So it's -- it's a little bit</p> <p>9 broader scope beyond just the day-to-day</p> <p>10 supervision. It's also, you know, helping move the</p> <p>11 -- the organization in the direction we're trying to</p> <p>12 go.</p> <p>13 Q And let's go back a little bit with</p> <p>14 respect to the sergeants. How are they organized in</p> <p>15 terms of the squads? What are the various squads</p> <p>16 that are present at the Pasadena Police Department?</p> <p>17 A So patrol has -- again, it's varied</p> <p>18 between four, five or six sergeants, you know,</p> <p>19 throughout my career. And it just depends. Really,</p> <p>20 manpower drives that to a large extent. And so</p> <p>21 you'll have, you know, four, five or six sergeants,</p> <p>22 and then all of the officers on the shift are</p> <p>23 divided up and assigned to a sergeant. And so that's</p> <p>24 how you end up with the squads.</p> <p>25 And then like investigations, for the most</p>	<p style="text-align: right;">29</p> <p>1 task force.</p> <p>2 Q Okay.</p> <p>3 A Which has a sergeant. And when I left at</p> <p>4 least in October, there were -- there were two</p> <p>5 officers assigned there. And their job was to go</p> <p>6 out and apprehend violent -- you know, persons that</p> <p>7 are wanted for violent offenses.</p> <p>8 Q Uh-huh.</p> <p>9 A Those are the only real what I would call</p> <p>10 a task force.</p> <p>11 Q Okay. Are there any shared programs</p> <p>12 between like the local law enforcement and federal</p> <p>13 law enforcement?</p> <p>14 A Yes.</p> <p>15 Q Okay. Tell me about those.</p> <p>16 A Gulf Coast violent offenders task force</p> <p>17 should be one of those.</p> <p>18 Q Okay.</p> <p>19 A Works with the U.S. Marshals Service.</p> <p>20 Narcotics has some of our members that are assigned</p> <p>21 to the DEA.</p> <p>22 Q Uh-huh.</p> <p>23 A And then you als--- we also have --</p> <p>24 there's an officer that's assigned to ATF. And I</p> <p>25 believe those are the only ones.</p>

<p style="text-align: right;">30</p> <p>1 Q Uh-huh.</p> <p>2 A At least in recent history.</p> <p>3 Q Uh-huh. And approximately how many</p> <p>4 patrolmen, officers are employed by the City of</p> <p>5 Pasadena, typically?</p> <p>6 A So it's varied.</p> <p>7 Q Uh-huh.</p> <p>8 A Total sworn personnel from the chief all</p> <p>9 the way, you know, to the bottom of the</p> <p>10 organization, there have been anywhere from about</p> <p>11 225 to 290.</p> <p>12 Q Okay.</p> <p>13 A And it fluctuates, obviously. You know,</p> <p>14 you will have, you know, a group leave and then hire</p> <p>15 -- you know, hire more to replace them. And so it</p> <p>16 fluctuates, but --</p> <p>17 Q Uh-huh.</p> <p>18 A -- somewhere in there.</p> <p>19 MR. DUBE: Let's go off the record a</p> <p>20 second. I -- I need to use the restroom.</p> <p>21 THE DEPONENT: Okay.</p> <p>22 VIDEO TECHNICIAN: All right. The time is</p> <p>23 now 9:47.</p> <p>24 (Whereupon, a break was taken from the</p> <p>25 proceedings.)</p>	<p style="text-align: right;">32</p> <p>1 Q Uh-huh.</p> <p>2 A Which include traffic, K-9. So I always</p> <p>3 say anybody that wears a uniform on a daily basis is</p> <p>4 assigned to operations or patrol.</p> <p>5 Q Uh-huh.</p> <p>6 A And then the other major area of the</p> <p>7 organization is investigations.</p> <p>8 Q Uh-huh.</p> <p>9 A And so you have the -- the various</p> <p>10 investigative divisions from juveniles to juvenile</p> <p>11 sex crimes, auto crimes, burglary and theft,</p> <p>12 financial crimes, violent crimes. Narcotics. I</p> <p>13 think that's most of them.</p> <p>14 Q Okay.</p> <p>15 A And then you have the other third area is</p> <p>16 admin and support, which is your crime scene unit,</p> <p>17 the training academy, community services.</p> <p>18 Q What's a percentage split between</p> <p>19 operations, investigations and admin support?</p> <p>20 A The last that I know was around 50 percent</p> <p>21 was assigned to operations.</p> <p>22 Q Uh-huh.</p> <p>23 A Probably 40-ish percent are assigned --</p> <p>24 are -- 35, 40 percent assigned to investigations and</p> <p>25 then the remaining percentage assigned to admin and</p>
<p style="text-align: right;">31</p> <p>1 VIDEO TECHNICIAN: The time is now 9:49.</p> <p>2 We're back on the record.</p> <p>3 By Mr. Dube:</p> <p>4 Q Before we took our break, you -- you were</p> <p>5 telling us that approximately 200 to 290 patrolmen</p> <p>6 --</p> <p>7 A The sworn personnel.</p> <p>8 Q Sworn personnel.</p> <p>9 A Yeah.</p> <p>10 Q I believe that's -- includes chiefs --</p> <p>11 A That's all the way down.</p> <p>12 Q -- and sergeants --</p> <p>13 A Yes.</p> <p>14 Q Okay. Gotcha. Okay.</p> <p>15 A So you do the math and figure out how many</p> <p>16 officer are --</p> <p>17 Q Understood. How many lieutenants are</p> <p>18 there? You said nine. Right?</p> <p>19 A Nine until this past July, there's ten.</p> <p>20 Q How are the patrolmen organized? What do -</p> <p>21 - are they in particular divisions or --</p> <p>22 A Yes. You have patrol obviously is the</p> <p>23 largest.</p> <p>24 Q Uh-huh.</p> <p>25 A Patrolling operations is the largest area.</p>	<p style="text-align: right;">33</p> <p>1 support.</p> <p>2 Q Okay. We're still tracking down your</p> <p>3 career path. So daytime supervisor?</p> <p>4 A Correct.</p> <p>5 Q Okay. Or day -- or day shift supervisor?</p> <p>6 A Day shi--- correct.</p> <p>7 Q How long were you in that role?</p> <p>8 A Until either May or June of 2006.</p> <p>9 Q And where were you shifted then?</p> <p>10 A I was then shifted to investigations, but</p> <p>11 specifically, property crimes or also known as</p> <p>12 burglary and theft.</p> <p>13 Q What was your role there?</p> <p>14 A To oversee the investigators in burglary</p> <p>15 and theft and, you know, supervise investigations.</p> <p>16 I would work some cases as well.</p> <p>17 Q Uh-huh.</p> <p>18 A But really, my -- my primary role is the</p> <p>19 day-to-day supervision of -- of the investigators</p> <p>20 assigned there, overseeing investigations, approving</p> <p>21 reports, you know, payroll, make sure everybody's</p> <p>22 complying with, you know, rules, policies, things</p> <p>23 like that.</p> <p>24 Q Were you still a sergeant at that time?</p> <p>25 A I was a sergeant, yes.</p>

<p style="text-align: right;">34</p> <p>1 Q When did you receive your next promotion?</p> <p>2 A Next promotion?</p> <p>3 Q Uh-huh.</p> <p>4 A Was October of 2012.</p> <p>5 Q Uh-huh. What is that process?</p> <p>6 A The promotional process?</p> <p>7 Q Uh-huh.</p> <p>8 A That was a test in an assessment center.</p> <p>9 Q What's an assessment center?</p> <p>10 A So a -- a verbal command and high -- do</p> <p>11 various scenarios. There's also a writing exercise</p> <p>12 to it, a -- a -- a presentation part of it, and</p> <p>13 you're assessed on your performance on that and</p> <p>14 given a score. And then I believe the test was 60</p> <p>15 percent and then the assessment center was 40</p> <p>16 percent. Combine those two together and that's how</p> <p>17 you grade the eligibility list.</p> <p>18 Q And who -- who are the people making the</p> <p>19 assessment?</p> <p>20 A I don't know. They -- outside -- out---</p> <p>21 it was an outside firm that would bring typically</p> <p>22 supervisors in from other organizations of</p> <p>23 comparable size from outside the Houston area --</p> <p>24 Q Uh-huh.</p> <p>25 A -- to come in and do the assessment.</p>	<p style="text-align: right;">36</p> <p>1 A I believe I worked one homicide while I</p> <p>2 was there.</p> <p>3 Q Okay. Tell us about that, please.</p> <p>4 A It was a case where -- a very different</p> <p>5 case. A lady's mother was -- she was on hospice,</p> <p>6 but she was immobile and on a ventilator; basically,</p> <p>7 a lot of machines to keep her alive. And at some</p> <p>8 point, she took her mother off the ventilator and</p> <p>9 her mother died.</p> <p>10 Q Uh-huh. I guess without authorization?</p> <p>11 A Yes.</p> <p>12 Q Okay. So you have person crime and you</p> <p>13 have burglary and theft property crimes?</p> <p>14 A Correct.</p> <p>15 Q You're still a sergeant?</p> <p>16 A Yes.</p> <p>17 Q Okay. And what was your next role?</p> <p>18 A In November of 2009, I was transferred to</p> <p>19 internal affairs.</p> <p>20 Q How long were you in that role?</p> <p>21 A Until October of 2012.</p> <p>22 Q That's when you were promoted to</p> <p>23 lieutenant?</p> <p>24 A Correct.</p> <p>25 Q Okay. What was your role at -- as a</p>
<p style="text-align: right;">35</p> <p>1 Q Understood. Okay. You -- oh, all right,</p> <p>2 let's jump back again.</p> <p>3 A Okay.</p> <p>4 Q So you were the -- a sergeant for</p> <p>5 investigations. How long were you in that role?</p> <p>6 A So I had burglary and theft from when I</p> <p>7 got there, which was May or June of 2006, until I</p> <p>8 believe it was like August or September of 2006 when</p> <p>9 I also was given persons crime. So I had two</p> <p>10 different squads of investigators.</p> <p>11 Q Okay.</p> <p>12 A And I had that role until November of</p> <p>13 2009.</p> <p>14 Q Okay. What's persons crime?</p> <p>15 A Person crime is also known as violent</p> <p>16 crime. They investigate any crimes against persons</p> <p>17 from -- all the way from homicides, harassing</p> <p>18 communi--- harassing communications, robberies,</p> <p>19 assaults, sexual assaults, shootings, stabbings,</p> <p>20 things of that nature.</p> <p>21 Q You stated you also worked some cases</p> <p>22 while you were in that position?</p> <p>23 A Yes.</p> <p>24 Q Okay. Did you work some homicides while</p> <p>25 you were in that position?</p>	<p style="text-align: right;">37</p> <p>1 sergeant in internal affairs?</p> <p>2 A Taking complaints, conducting</p> <p>3 investigations.</p> <p>4 Q Anything else?</p> <p>5 A Would review use of force forms when they</p> <p>6 were committed and submitted. That -- that's the</p> <p>7 primary function is inves--- you know, conducting</p> <p>8 investigations of complaints and review -- and doing</p> <p>9 internal review of force incidents in the</p> <p>10 department.</p> <p>11 Q So let's go back a little bit. How is the</p> <p>12 internal affairs division organized?</p> <p>13 A What -- so what do you mean?</p> <p>14 Q Because in -- in the other divisions, you</p> <p>15 had, you know, I guess officers or patrolmen that</p> <p>16 you supervise. Right?</p> <p>17 A Right.</p> <p>18 Q And then they did -- and you were in</p> <p>19 charge of their day-to-day activities and et cetera,</p> <p>20 et cetera. Then you go to sergeant and there would</p> <p>21 be a lieutenant. Right? So give me the same sce---</p> <p>22 scenario how the general affairs division was</p> <p>23 organized.</p> <p>24 A So it depended. At times, there were a</p> <p>25 lieutenant and a sergeant. There were two</p>

<p style="text-align: right;">38</p> <p>1 sergeants. There was a sergeant and an officer. 2 While there still is the rank structure -- 3 Q Uh-huh. 4 A -- in internal affairs, you're both 5 investigators, both -- so while there may be a rank 6 difference, for a lot -- for really all practical 7 purposes, you're pretty much two investigators 8 working. And so almost like part -- you know, you 9 would be partners as opposed to, you know, 10 supervisor subordinate even though there may be rank 11 difference. 12 Q Is that -- it was less formal than it 13 would be in -- in other departments? 14 A The -- the -- the rank, yes. The rank 15 structure, yes. 16 Q All right. 17 A And -- and then you would report directly 18 to the chief's office, whether it was directly to 19 the chief or an assistant chief. But it -- that's... 20 Q Understood. And who is your I guess 21 lieutenant or -- and partner while you were there? 22 A I know Dan Bittner was there for a while. 23 Chris McGregor. Those are the two I remember. It's 24 not to say there weren't others, but those are the 25 two that stand out to me.</p>	<p style="text-align: right;">40</p> <p>1 Q All right. Tell us about the first one. 2 A The first one was an off-duty officer. Do 3 you -- my description of it, it was a road rage. He 4 had been drinking. Ends up following him into an 5 apartment complex. Words were exchanged between the 6 off-duty officer and the driver of the other 7 vehicle. Driver of the other vehicle begins to 8 drive. The officer shoots at the back of the 9 vehicle. 10 Q Do you remember the officer's name? 11 A Kazz. K-A-Z-Z. 12 Q K-A? 13 A Z-Z. 14 Q First name? 15 A I don't know. 16 Q No worries. Okay. What was the outcome 17 of -- of the investigation? 18 A He was found to have violated policy. I 19 don't remember if he voluntarily separated his 20 employment or was terminated. And he ultimately was 21 charged with an offense. I don't remember if it was 22 aggravated assault or something else, but he was -- 23 he was charged with a crime. 24 Q So he was formally prosecuted? 25 A Yes.</p>
<p style="text-align: right;">39</p> <p>1 Q And you were in internal affairs for 2 approximately three years? 3 A Yes. 4 Q Okay. Can you give us a sense of what -- 5 well, actually, let's ask this this way. Were there 6 any officer involved shootings during those three 7 years you were a member at internal affairs? 8 A Yes. 9 Q Okay. How many were there? 10 A I couldn't give you a number. I would say 11 probably ten-ish, but that's a approximation. 12 Q Do you recall during your three years 13 there if any of these officer-involved shootings you 14 determined that the shootings were unjustified? 15 A Yes. 16 Q Okay. How many? 17 A I know of one for sure. There -- 18 Q Why -- why does that one stick out? 19 A Because it was cold that night and I 20 remember being out there. That's why. I mean, the 21 circumstances. There was another one that I -- I 22 remember the facts very specifically. I just don't 23 know -- I -- I was assigned to internal affairs 24 because now I -- yeah, so at least two that I know 25 of that -- yes.</p>	<p style="text-align: right;">41</p> <p>1 Q Okay. Do you recall the outcome? 2 A I'm fairly certain he was found not 3 guilty. 4 Q But he was terminated? 5 A Yes. Well, he was terminated -- I don't 6 know if he was terminated or if he -- 7 Q Well -- 8 A -- quit in lieu of being terminated. I -- 9 I don't know. 10 Q So he -- so he left his employment as a 11 Pasadena police officer? 12 A Correct. 13 Q Okay. And do you recall what his rank 14 was? 15 A He was an officer. 16 Q He was an officer? Okay. Do you recall 17 what year this was? 18 A Somewhere between 2009 and 2012. No. 19 Q I knew you were going to say that. Okay. 20 2009, 2012. Gotcha. Okay. Anything else about 21 that incident that stick out -- that sticks out in 22 your mind? 23 A No. 24 Q What was your role in the investigation? 25 A I was a supervisor.</p>

<p style="text-align: right;">42</p> <p>1 Q Uh-huh. Did you interview witnesses? Did 2 you interview -- 3 A No, I was just out there overseeing the 4 investigation, but I did not conduct the 5 investigation. 6 Q Okay. Do you know who -- do you know 7 which -- so -- so somebody in the investigations 8 unit would have conducted the investigation? 9 A Yes. 10 Q Okay. Do you recall who it was? 11 A I do not. 12 Q What was the second incident? 13 A The second incident was a traffic stop 14 involving Officer Martin. 15 Q Uh-huh. 16 A Some point, the driver drove away and 17 Officer Martin fired at him and struck him. And the 18 -- it was a pursuit after that, probably about ten 19 minutes, and then he was apprehended. 20 Q Do you recall what year that was? 21 A No. 22 Q What was your role in that investigation? 23 A I was assigned to internal affairs, so I - 24 - I did not work it. The other person assigned to 25 internal affairs worked it, or -- or was the lead</p>	<p style="text-align: right;">44</p> <p>1 Q Policy? 2 A Policy. Yes. 3 Q Gotcha. But that's what I'm asking, I 4 guess. Is there -- was there a process -- well, let 5 me start over. Was there a process at the Pasadena 6 Police Department for internal affairs to i--- to 7 identify those type of recommendations for the chief 8 and the assistant chief? 9 A As far as a formal process, no. But I 10 mean, all -- all internal affairs reports go -- you 11 know, go to the chief's office for a review. So 12 they are gonna -- they are gonna see them. And -- 13 and I'll -- I'll -- I mean, as far as this -- I 14 mean, we have a policy, you know, you can't shoot at 15 somebody that's not a threat. So this is not a -- 16 that's -- as far as a training, I mean, it is 17 trained -- officers are trained, you know, you 18 cannot shoot somebody that's not a -- a threat and, 19 you know, meets the -- the elements of, you know, 20 chapter nine of the penal code. But yes. 21 Q So -- so I guess this is somebody's 22 testimony, the officer should know that they should 23 not shoot at a car that's moving away from them and 24 not a threat to them, based on training? 25 A And -- and I'm going to say more not a --</p>
<p style="text-align: right;">43</p> <p>1 investigator. I oversaw the investigation. I'm 2 sure I helped him on some things. 3 Q That's two shootings -- unjustified 4 shootings that both involve allegation of a driver 5 driving away and an officer shooting at them? 6 A Right. 7 Q In circumstances like that, would internal 8 affairs have any responsibility or any role in 9 suggesting additional training for the officers when 10 you -- when you come across things that are hap--- 11 that are happening on a repeated basis? 12 A In internal affairs, not necessarily, no. 13 Q You would agree with me, internal affairs, 14 that a first level or layer that could -- that could 15 see those type of patterns developing. Correct? 16 A Correct. 17 MR. GILES: Object to form. 18 MR. SELBE: Same objection. 19 THE DEPONENT: And they may take a 20 recommendation to you the chief, potentially, and 21 say, hey, chief, here's something we're seeing. 22 Right? But at the end of the day, it's usually the 23 chief or an assistant chief that's going to -- going 24 to dictate -- 25 BY MR. DUBE:</p>	<p style="text-align: right;">45</p> <p>1 MR. GILES: Object to form. 2 THE DEPONENT: I'm going to say not a 3 threat as opposed to driving away because you could 4 drive away and still be a threat. So I mean, it's 5 going to depend on the circumstances. But does the 6 department have a policy prohibiting, you know, the 7 use of unjustified force? Absolutely. State law 8 prohibits the use of unjustified force. And so 9 those exist. And there's also the very real, you 10 know, possibility of being indicted for criminal 11 offense if you use, you know, force. And so there 12 are -- the -- the organization has taken steps to 13 ensure that -- you know, to the best of our ability 14 -- 15 Q Uh-huh. 16 A -- that officers do not use unjustified 17 force. 18 Q But despite the policy, you will agree 19 with me that officers do sometimes use un--- 20 unjustified force? 21 A Yes. 22 Q And was there any procedures in place at 23 the police department to identify those areas where 24 despite their training, officers were still using 25 force -- unjustified force, any patterns along those</p>

<p style="text-align: right;">46</p> <p>1 lines?</p> <p>2 A I mean, I guess the process would be when</p> <p>3 the chief's office sees, you know, these internal</p> <p>4 affairs reports coming up, they are going to see</p> <p>5 them and can identify. But I -- I'm not sure what</p> <p>6 else you're looking for or asking because, I mean,</p> <p>7 that -- that's I guess the best way I can answer the</p> <p>8 question.</p> <p>9 Q Uh-huh. I'm not looking for anything.</p> <p>10 I'm just asking what -- well, what -- what the</p> <p>11 policies were or what the procedures were, just</p> <p>12 informational.</p> <p>13 A Yeah.</p> <p>14 Q Okay. So nothing formal, but you would</p> <p>15 have expected that the chief's office would --</p> <p>16 would, you know, take into account what they are</p> <p>17 seeing and the chief's office would make those --</p> <p>18 those policy determinations?</p> <p>19 MR. GILES: Objection. Form.</p> <p>20 THE DEPONENT: Correct.</p> <p>21 BY MR. DUBE:</p> <p>22 Q But nothing formal originating out of</p> <p>23 internal affairs?</p> <p>24 A No.</p> <p>25 Q Okay. All right. What is your day-to-day</p>	<p style="text-align: right;">48</p> <p>1 whole bunch of people in the organization and I --</p> <p>2 you know, I didn't keep up with him. So I don't --</p> <p>3 I don't remember. And it's not to say we didn't,</p> <p>4 but I don't remember us working together or him</p> <p>5 working for me.</p> <p>6 Q Uh-huh.</p> <p>7 A Directly for me. I mean, obviously, as --</p> <p>8 as a chief, ever--- you know, they all -- but you</p> <p>9 know, as far as being a sergeant and supervising</p> <p>10 him, I -- I don't remember that ever happening.</p> <p>11 Even as a lieutenant, I don't recall -- I was on</p> <p>12 nights for nine months or so as a lieutenant and he</p> <p>13 might have been assigned to nights, but I -- I mean,</p> <p>14 there's 35, 40 people assigned to nights, so I don't</p> <p>15 -- I don't know.</p> <p>16 Q Nothing you recall directly. Right?</p> <p>17 A Correct.</p> <p>18 Q Okay. How about when you were in internal</p> <p>19 affairs? Did you come across any investigations</p> <p>20 that -- where he was involved?</p> <p>21 A Yes.</p> <p>22 Q Okay. Tell us about that.</p> <p>23 A He was involved in a shooting in two-</p> <p>24 thousand-and--- I don't remember -- nine or twelve,</p> <p>25 somewhere in there, I think.</p>
<p style="text-align: right;">47</p> <p>1 responsibility at internal affairs?</p> <p>2 A It's dependent on the day. Some days was,</p> <p>3 you know, taking complaints. Other days, you know,</p> <p>4 investigations. It -- it just would depend on the</p> <p>5 day. And I always -- you know, internal affairs is</p> <p>6 very up and down. Sometimes there's not a lot going</p> <p>7 on, and other times, it's, you know, busy. And so</p> <p>8 it just -- it just depends.</p> <p>9 Q Okay. What was your next role after</p> <p>10 internal affairs?</p> <p>11 A When I was promoted to lieutenant in</p> <p>12 October of 2012, I was assigned to night shift --</p> <p>13 night shift patrol as a night shift commander.</p> <p>14 Q Let me ask this question. So we're</p> <p>15 October of 2012. Correct? And you and Officer</p> <p>16 Saldivar went to the academy together. Correct?</p> <p>17 A Correct.</p> <p>18 Q Do you have any interaction with him from</p> <p>19 when you began with the police department and up</p> <p>20 until this role?</p> <p>21 A If we were assigned to the same areas, it</p> <p>22 was for a very short time because I don't really</p> <p>23 remember -- he and I weren't friends, and so -- I</p> <p>24 mean, we were academy mates, but not friends. And</p> <p>25 so not that I didn't keep up with him, but there's a</p>	<p style="text-align: right;">49</p> <p>1 Q Okay.</p> <p>2 A Maybe '12.</p> <p>3 Q Okay. Can you give us -- what were the</p> <p>4 circumstances of that shooting?</p> <p>5 A Yes. He was dispatched out to a subject</p> <p>6 with a gun -- actually, two guns.</p> <p>7 Q Uh-huh.</p> <p>8 A Officer Saldivar -- they had been taken in</p> <p>9 a theft from Walmart.</p> <p>10 Q Uh-huh.</p> <p>11 A Officer Saldivar located the individual,</p> <p>12 said he had a gun in his hand -- at least one gun in</p> <p>13 his hand, I -- I recall, and Officer Saldivar</p> <p>14 perceived him to be a threat because of the gun in</p> <p>15 his hand; didn't obey commands. And Officer</p> <p>16 Saldivar discharged his weapon.</p> <p>17 Q Was that through a fence?</p> <p>18 A Yes.</p> <p>19 Q Okay. So I don't think that was when you</p> <p>20 were in internal affairs. That was later on.</p> <p>21 A I was out there. I --</p> <p>22 Q Okay.</p> <p>23 A I -- I was there at least in -- several</p> <p>24 hours after it happened 'cause I -- I may have been</p> <p>25 an assistant chief.</p>

<p style="text-align: right;">50</p> <p>1 Q Uh-huh.</p> <p>2 A Maybe stopped by on my way to work because</p> <p>3 it was light out and I know it happened at night.</p> <p>4 Q Uh-huh. Okay.</p> <p>5 A I was at the scene for at least a short</p> <p>6 period of time. I know that.</p> <p>7 Q Okay.</p> <p>8 A So...</p> <p>9 Q Gotcha. Okay. So if -- if I told you</p> <p>10 that happened in about April of 2018, would you have</p> <p>11 any reason to disagree with me?</p> <p>12 A No.</p> <p>13 Q Okay. And you were assistant chief at the</p> <p>14 time?</p> <p>15 A Yes. I was assistant chief. So yes.</p> <p>16 That's correct. That was in April and the other one</p> <p>17 was in November. That's correct. Yes.</p> <p>18 Q We'll get back to that shooting --</p> <p>19 A Okay. Yeah. Okay. I was the assistant</p> <p>20 chief probably on the way to work and stopped by the</p> <p>21 scene.</p> <p>22 Q Gotcha. Okay. All right. So let's go</p> <p>23 back. So I guess we're in 2012; no real</p> <p>24 interactions with Officer Saldivar that you recall.</p> <p>25 A Correct.</p>	<p style="text-align: right;">52</p> <p>1 organization, making recommendations. You know,</p> <p>2 depending on -- you know, formal discipline by civil</p> <p>3 service can only be done by the chief. And so, you</p> <p>4 know, verbal reprimands, letters of reprimands,</p> <p>5 things like that would sometimes come from the</p> <p>6 assistant chief. But anything beyond that as far as</p> <p>7 discipline per civil service law would have to come</p> <p>8 from the chief. And so that would be some of the</p> <p>9 roles.</p> <p>10 Q Okay. I want to unpack that a little bit.</p> <p>11 Actually, before we do that, what was the process in</p> <p>12 promoting to assistant chief?</p> <p>13 A It was an interview process with the</p> <p>14 chief.</p> <p>15 Q Uh-huh.</p> <p>16 A And then it's -- by civil service law in</p> <p>17 Texas, at least, it's pretty much the prerogative of</p> <p>18 the chief who they want to be assistant chief.</p> <p>19 Q So you serve at the pleasure of the chief?</p> <p>20 A Serve at the pleasure of the chief. Yes.</p> <p>21 Q And who was the chief at the time?</p> <p>22 A Mike Thaler.</p> <p>23 Q Okay. How long did you serve under him as</p> <p>24 assistant chief?</p> <p>25 A He retired on June 30th of 2017.</p>
<p style="text-align: right;">51</p> <p>1 Q Okay. And so in 2012, you get promoted to</p> <p>2 lieutenant.</p> <p>3 A Correct.</p> <p>4 Q And you are at nighttime patrol?</p> <p>5 A Yes, sir.</p> <p>6 Q Okay. How long are you there?</p> <p>7 A July of 2013.</p> <p>8 Q So a very short time?</p> <p>9 A Yes.</p> <p>10 Q Okay. What's next?</p> <p>11 A I was promoted to assistant chief.</p> <p>12 Q Okay. When were you promoted to assistant</p> <p>13 chief?</p> <p>14 A July of 2013.</p> <p>15 Q Okay. Got it. What is your role as</p> <p>16 assistant chief?</p> <p>17 A I was over operations most of my time as</p> <p>18 an assistant chief, which is -- again, the easiest</p> <p>19 way to tell you is everybody that wears a uniform on</p> <p>20 a day-to-day basis fell under that umbrella.</p> <p>21 Q Uh-huh.</p> <p>22 A The biggest one being patrol. But again,</p> <p>23 that's the day-to-day operations. That's more</p> <p>24 setting the vision, the direction, a little bit more</p> <p>25 involved in the discipline of -- of the</p>	<p style="text-align: right;">53</p> <p>1 Q Is that when you were promoted to active</p> <p>2 chief?</p> <p>3 A No.</p> <p>4 Q All right.</p> <p>5 A There was another chief for about 15</p> <p>6 months between Chief Thaler and myself.</p> <p>7 Q Okay. And who was that?</p> <p>8 A Al Espinoza.</p> <p>9 Q And you were the assistant chief under him</p> <p>10 as well?</p> <p>11 A Yes.</p> <p>12 Q Okay. Did he select you to be assistant</p> <p>13 chief or was it just --</p> <p>14 A He didn't unselect me. How about that?</p> <p>15 Q Got it. When did he leave as chief--- was</p> <p>16 he formally appointed as chief or was he a --</p> <p>17 A He was formally appointed as a chief.</p> <p>18 Q Okay.</p> <p>19 A The end of November of 2018 was his --</p> <p>20 when he retired. But I was appointed the acting</p> <p>21 chief before he officially departed. He didn't come</p> <p>22 to work the last couple weeks.</p> <p>23 Q Okay.</p> <p>24 A So I was appointed the active chief I</p> <p>25 believe on -- it was the beginning of November. I</p>

<p style="text-align: right;">54</p> <p>1 believe November 7th of 2018.</p> <p>2 Q Do you -- do you recall why he left his</p> <p>3 employment as chief?</p> <p>4 A He chose to retire.</p> <p>5 MR. GILES: Objection to form.</p> <p>6 BY MR. DUBE:</p> <p>7 Q Was there any precipitating event that led</p> <p>8 to his retirement, if you know?</p> <p>9 A There were some events. I just know he</p> <p>10 elected to retire.</p> <p>11 Q And what were those events?</p> <p>12 MR. GILES: Objection. Form.</p> <p>13 THE DEPONENT: He -- there were some</p> <p>14 issues between him and the mayor. I don't know all</p> <p>15 the details of it.</p> <p>16 THE DUBE: Okay.</p> <p>17 THE DEPONENT: But I just know he told the</p> <p>18 organization he was retiring.</p> <p>19 Q Do you know any specifics regarding the</p> <p>20 issues he -- he was having with the mayor?</p> <p>21 A I -- there were some personnel issues that</p> <p>22 he wasn't managing appropriately, at least in the</p> <p>23 eyes of the mayor.</p> <p>24 Q Okay. What were those?</p> <p>25 A Some of the selections to different</p>	<p style="text-align: right;">56</p> <p>1 to another that he dismissed. Those were the --</p> <p>2 those are what I know of.</p> <p>3 Q Okay. Were there any over a policy</p> <p>4 defenses between him and the mayor that led to his</p> <p>5 resignation?</p> <p>6 A When you say policy differences, what do</p> <p>7 you mean?</p> <p>8 Q Like the mayor wanted something done one</p> <p>9 way; he wanted something done differently.</p> <p>10 A I'm not sure. I don't know.</p> <p>11 Q Okay.</p> <p>12 MR. GILES: Objection. Form.</p> <p>13 BY MR. DUBE:</p> <p>14 Q So you were the assistant chief from July</p> <p>15 2013 'til November of 2018.</p> <p>16 A Correct.</p> <p>17 Q And I say the, but there are several</p> <p>18 assistant chiefs. Correct?</p> <p>19 A Correct.</p> <p>20 Q Okay. Who were the other assistant chiefs</p> <p>21 with you?</p> <p>22 A While Chief Thaler was here, the other</p> <p>23 assistant chiefs were Mike Jackson and Susan</p> <p>24 Clifton.</p> <p>25 Q Okay.</p>
<p style="text-align: right;">55</p> <p>1 divisions, some of the way he was handling some of</p> <p>2 the complaints.</p> <p>3 Q What was the main point of contention in</p> <p>4 terms of how he was managing personnel?</p> <p>5 MR. GILES: Objection. Form.</p> <p>6 THE DEPONENT: I -- I'm not -- I don't</p> <p>7 want to speak for the mayor, so I'm not sure what</p> <p>8 the mayor's --</p> <p>9 BY MR. DUBE:</p> <p>10 Q I'm not asking you to speak for the mayor.</p> <p>11 I'm asking you -- I'm asking for what you understood</p> <p>12 to be those issues were from what you heard or from</p> <p>13 -- from whatever other source you may have gotten</p> <p>14 that information from.</p> <p>15 A I mean, a lot of it would be ju---</p> <p>16 MR. GILES: Objection. Form.</p> <p>17 THE DEPONENT: -- just to speculate on,</p> <p>18 you know, what it is. Do you want me to speculate?</p> <p>19 BY MR. DUBE:</p> <p>20 Q I want you to tell me what you know.</p> <p>21 A The only thing I know is there were some</p> <p>22 concerns at least with the way there a -- an</p> <p>23 assignment to an investigative division that --</p> <p>24 where there was a -- a complaint that was made.</p> <p>25 There was a comment that was made from one officer</p>	<p style="text-align: right;">57</p> <p>1 A And then under Al Espinoza, it was Rick</p> <p>2 Styron and Kevin Wingerson.</p> <p>3 Q Kevin?</p> <p>4 A Wingerson, W-I-N-G-E-R-S-O-N.</p> <p>5 Q Okay. And just to get this out of the</p> <p>6 way, when you were chief, who were your assistant</p> <p>7 chiefs?</p> <p>8 A Kevin Wingerson.</p> <p>9 Q Uh-huh.</p> <p>10 A Rick Styron, Jerry Wright. And then</p> <p>11 Assistant Chief Styron retired and Tom Warnke was</p> <p>12 who I appointed to assistant chief. And those were</p> <p>13 the assistant chiefs when I left in October.</p> <p>14 Q Who's the chief now?</p> <p>15 A Jerry Wright.</p> <p>16 Q Did you have any role in selecting the</p> <p>17 chief that replaced you?</p> <p>18 A Did I have a role?</p> <p>19 Q Uh-huh.</p> <p>20 A No, that's the mayor's role.</p> <p>21 Q All right. Okay. So let's get to you as</p> <p>22 -- how long were you acting chief for?</p> <p>23 A From the beginning of November, I --</p> <p>24 again, I believe it was November 7th of 2018 until I</p> <p>25 was confirmed by council on January 2nd, 2019.</p>

<p style="text-align: right;">58</p> <p>1 Q As acting chief, were your roles any 2 different than they was as -- as appointed chief? 3 A The -- the biggest difference is, because 4 of civil service law, the acting chief cannot take 5 some disciplinary actions like formal discipline, 6 per 143 local government code. So an acting chief, 7 if -- if they have not been -- you could have an 8 acting chief confirmed by counsel as the acting 9 chief, but if they are not confirmed by counsel, 10 they can't take disciplinary action such as days 11 off, involuntary demotion, an indefinite suspension 12 or the equivalent of a termination. So you can't do 13 those things. Other than that, pretty much can do 14 all the other stuff. 15 Q So during that time, who -- who would have 16 been able to I guess terminate a -- an officer? 17 A Nobody. They would have gotten -- if 18 there would have been a situation where there had to 19 been termi--- you would have had to gone before City 20 Council and at least gotten confirmed as an acting - 21 - as an acting chief. 22 Q Could you have made the recommendation at 23 -- 24 A There's nobody to make a recommendation 25 to, because under civil service law, the only one</p>	<p style="text-align: right;">60</p> <p>1 basically nominated, if you will, by the chief 2 executive, which would be the mayor, and then 3 confirmed by the Council. And then later on in the 4 code, it talks about the department head. Well, to 5 be the department head, you've got to be confirmed 6 by Council. And so City Council could confirm you as 7 an assistant chief so that you could take 8 disciplinary action if you needed to. 9 Q Say that again. I'm sorry. I -- I -- I 10 got lost. 11 A So City Council could confirm you, say we 12 are confirming you as the -- the assis--- the 13 interim chief. That way, you are at least confirmed 14 by Council, which is what you've got to be per 143 15 to be the department head, because the department 16 head of the police department, the police chief is 17 the only person under civil service law that can 18 take disciplinary action. 19 Q Okay. So I guess I -- where I'm getting 20 confused is there are three categories. There's 21 acting chief, there's interim chief and then there's 22 the chief. 23 A Interim and acting are the same thing. 24 They are synonymous, just different terms that 25 different people use.</p>
<p style="text-align: right;">59</p> <p>1 who can take disciplinary action against an officer 2 is the chief. 3 Q So you had no ability to make a 4 recommendation -- so -- so acting chief has no 5 ability to make a recommendation to the City Council 6 to terminate an officer for a violation of policy? 7 A City Council can't -- 8 MR. GILES: Objection to form. 9 THE DEPONENT: City Council cannot -- city 10 can't -- the only person is the chief. City Council 11 cannot fire a police officer. The mayor cannot fire 12 a police officer. The only person that could fire, 13 suspend, indefinitely su--- suspend an officer is 14 the chief. 15 Q Okay. 16 A Nobody else can do it. 17 Q And -- and including the acting chief? 18 A That's correct. 19 Q Okay. So if an officer needed to be 20 terminated by an action that warranted termination 21 during that time, what could -- what could be done? 22 A The acting chief could be confirmed by 23 Council as the acting chief and then they could do 24 it, because if you look at 143 and it talks about 25 the department head, the department head has to be</p>	<p style="text-align: right;">61</p> <p>1 Q But I thought you said the City Council 2 could confirm the interim chief. 3 A Interim or acting, whatever you want to 4 call it, they could confirm that. They're saying, 5 basically, we're giving you all the rights as the 6 chief, but we're still looking for a chief. Right? 7 Q Oh. 8 A It doesn't mean you're going to be the 9 chief forever. It just means temporarily, until we 10 name a permanent chief, if you will -- and it's not 11 permanent, but -- 12 Q Uh-huh. 13 A -- you have -- 14 Q You have -- 15 A -- the authority of -- of a chief. 16 Q Were you ever confirmed by City Council, 17 then, in the time between November 2018 and January 18 2019? 19 A No, it was only two months and there 20 wasn't a need at that point to -- to do it. 21 Q Okay. So you were just -- you served as 22 the acting chief, but you were not formally 23 appointed by City Council -- 24 A That's correct. 25 Q -- during that time. But in January 2019,</p>

<p style="text-align: right;">62</p> <p>1 you were appointed.</p> <p>2 A January 2nd of 2019, just under two</p> <p>3 months. Yes.</p> <p>4 Q Okay. And at that time, you had all the</p> <p>5 respons--- you had all the roles and</p> <p>6 responsibilities and -- and -- and authority as</p> <p>7 chief?</p> <p>8 A Yes.</p> <p>9 Q Okay. Would you have had the ability to</p> <p>10 fire or terminate an officer for actions he had done</p> <p>11 prior to you obtaining that role?</p> <p>12 A Absolutely. Well, let me back up. As long</p> <p>13 as it met the other requirements of civil service</p> <p>14 law because you have to -- disciplinary action 143</p> <p>15 052 of the local government code, you have to take</p> <p>16 disciplinary action within 180 days of misconduct</p> <p>17 occurring; not the discovery of the misconduct, but</p> <p>18 the misconduct occurring. And so it would have had</p> <p>19 to have taken place -- I couldn't go back five years</p> <p>20 and -- and you know, dig something up and -- and --</p> <p>21 and so just understand that there is -- there are</p> <p>22 some time parameters in civil service.</p> <p>23 Q But if something occurred in November of</p> <p>24 2018, you could -- you had authority when you were</p> <p>25 appointed chief to terminate an officer for that</p>	<p style="text-align: right;">64</p> <p>1 decision maker when it came to -- to discipline.</p> <p>2 And -- and I just want to be clear when we talk</p> <p>3 about discipline that, okay, when we talk about</p> <p>4 civil service discipline, it is a disciplinary</p> <p>5 discipline or days off, it's an indefinite</p> <p>6 discipline, an involuntary demotion, those are what</p> <p>7 I consider discipline or what's considered -- not I</p> <p>8 -- it's what state law considers to be discipline.</p> <p>9 But officers also sometimes get verbal reprimands or letters of reprimands and they are</p> <p>10 often referred to as discipline, but by civil</p> <p>11 service law, they are not discipline. So just as we</p> <p>12 talk, I just want to make sure that we -- you know,</p> <p>13 are we talking about discipline overall or are we</p> <p>14 talking about civil service discipline? Because</p> <p>15 there's a difference.</p> <p>16 Q I understand. So just -- just to clarify,</p> <p>17 so there's informal discipline in terms of</p> <p>18 reprimands and other things that can be done.</p> <p>19 Correct?</p> <p>20 A Correct.</p> <p>21 Q Okay. And then there are more final</p> <p>22 disciplinary procedures that -- that can also be</p> <p>23 done.</p> <p>24 A Correct.</p>
<p style="text-align: right;">63</p> <p>1 misconduct?</p> <p>2 A Yes.</p> <p>3 Q What are your -- what were your roles as -</p> <p>4 - as chief of police for the City of Pasadena Police</p> <p>5 Department?</p> <p>6 A How long you got? No.</p> <p>7 Q At least 'til lunch break.</p> <p>8 A You know, setting the policy of the</p> <p>9 organization, you know, the direction, the vision,</p> <p>10 the day-to-day operations, discipline when it's</p> <p>11 needed. You -- you know, out in the community, you</p> <p>12 know, community relations. And so there -- there's</p> <p>13 -- there's a lot of roles.</p> <p>14 Q What do you mean by setting policy?</p> <p>15 A Uh-huh.</p> <p>16 Q What do you mean by that?</p> <p>17 A Make the policies. Whether that's kind of</p> <p>18 the vision of the organization, which way we're</p> <p>19 going to go, what's important, you know, that --</p> <p>20 that we want to accomplish or both rules and</p> <p>21 policies and procedures, set those for the</p> <p>22 organization as well.</p> <p>23 Q And what were your roles and</p> <p>24 responsibilities in terms of discipline?</p> <p>25 A At the end of the day, I was the final</p>	<p style="text-align: right;">65</p> <p>1 Q Okay. And who had --</p> <p>2 MR. GILES: Objection to form.</p> <p>3 MR. SELBE: Same --</p> <p>4 BY MR. DUBE:</p> <p>5 Q -- besides -- let me ask this question.</p> <p>6 Okay. For the reprimands and other lesser forms of</p> <p>7 discipline, what -- who had the authority to make</p> <p>8 those recommendations and make those actions?</p> <p>9 A The assistant chief.</p> <p>10 MR. GILES: Objection to form.</p> <p>11 THE DEPONENT: The assistant chiefs were</p> <p>12 able to --</p> <p>13 MR. DUBE: Okay.</p> <p>14 THE DEPONENT: The more informal</p> <p>15 discipline, if you will.</p> <p>16 BY MR. DUBE:</p> <p>17 Q You had the authority to do so?</p> <p>18 A Yes.</p> <p>19 Q And you -- and when -- the chief had the</p> <p>20 authority to make the more final, including termin--</p> <p>21 - discipline, including termination?</p> <p>22 A Yes.</p> <p>23 Q Okay.</p> <p>24 MR. GILES: Objection. Form.</p> <p>25 BY MR. DUBE:</p>

<p style="text-align: right;">66</p> <p>1 Q Now, I think you used the word decision</p> <p>2 maker. You were the final -- when you were the</p> <p>3 chief of police for the City of Pasadena, you were</p> <p>4 the final decision maker for policy and discipline?</p> <p>5 A Yes.</p> <p>6 MR. GILES: Objection. Form.</p> <p>7 BY MR. DUBE:</p> <p>8 Q So from January 2019 until you retired,</p> <p>9 you were the final decision maker for the City of</p> <p>10 Pasadena Police Department?</p> <p>11 A For the police department, yes.</p> <p>12 Q You -- you spoke a little bit earlier</p> <p>13 about a shooting that happened in 2018 involving</p> <p>14 Officer Saldivar.</p> <p>15 A Yes.</p> <p>16 Q Okay. Tell us what you recall about that</p> <p>17 incident.</p> <p>18 A He and other officers were dispatched out</p> <p>19 to the area. It was an apartment complex south of</p> <p>20 the Walmart in the 5200 block of Fairmont. It was -</p> <p>21 - there was a theft call from Walmart and there was</p> <p>22 also I believe a homeowner had seen someone was on</p> <p>23 the front area with a gun and called the police.</p> <p>24 Officer Saldivar went out there, located the person</p> <p>25 with the gun in his hand and ended up discharging</p>	<p style="text-align: right;">68</p> <p>1 regular gun. It looked like --</p> <p>2 Q A firearm?</p> <p>3 A -- a firearm, not a -- did not -- at a</p> <p>4 glance would not appear to be a BB gun or a pellet</p> <p>5 gun.</p> <p>6 Q Yeah. So it was a BB gun or a pellet gun,</p> <p>7 but not a firearm. This is the distinction we're</p> <p>8 making?</p> <p>9 A Yes.</p> <p>10 Q But it appeared to look like a firearm?</p> <p>11 A Correct.</p> <p>12 Q What was your role in that investigation?</p> <p>13 A I was assistant chief over patrol.</p> <p>14 Q Right, because this was night patrol.</p> <p>15 A Oh, '18, I was assistant chief.</p> <p>16 Q Okay.</p> <p>17 A And -- and I would not have had much of a</p> <p>18 role in it other than it was personnel under my</p> <p>19 command that were involved.</p> <p>20 Q Uh-huh.</p> <p>21 A But as far as the investigation, it would</p> <p>22 have been under investigations, and that assistant</p> <p>23 chief, internal affairs did not fall under -- under</p> <p>24 my command either. And so as far as a real role in</p> <p>25 the investigation, I would not have had one.</p>
<p style="text-align: right;">67</p> <p>1 his weapon. And it was -- I believe a person was on</p> <p>2 the other side of a -- like a wrought iron fence --</p> <p>3 I mean, you could see through it; it was a wrought</p> <p>4 iron fence -- with a gun.</p> <p>5 Q Uh-huh.</p> <p>6 A And Officer Saldivar discharged his weapon</p> <p>7 and he hit a couple different things, but I don't</p> <p>8 think he hit the person, from what I recall.</p> <p>9 Q Do you recall watching the video?</p> <p>10 A Back then, yes.</p> <p>11 Q Do you recall anything about the person</p> <p>12 who was shot at?</p> <p>13 A All I can remember is he had a gun in his</p> <p>14 hand. I don't remember --</p> <p>15 Q Do you -- do you remember how old he was?</p> <p>16 A He was younger, but I don't know -- no, I</p> <p>17 don't -- late teens, early twenties comes to mind,</p> <p>18 from what I recall, but...</p> <p>19 Q Do you recall if the gun was a -- was a</p> <p>20 working gun or -- or a toy gun?</p> <p>21 A It was working. I believe it was either a</p> <p>22 BB or a pellet gun, but it was -- it was a working</p> <p>23 gun.</p> <p>24 Q Okay.</p> <p>25 A And I recall it looked like a -- I say a</p>	<p style="text-align: right;">69</p> <p>1 Q Uh-huh. But you recall saying that --</p> <p>2 that you actually went out on the scene?</p> <p>3 A Yes.</p> <p>4 Q Okay. Tell -- tell us about that.</p> <p>5 A I just remember stopping by. It was early</p> <p>6 morning. I know there was a light outside. But</p> <p>7 that would not have been uncommon for me on</p> <p>8 something that happened overnight where they still</p> <p>9 had the scene for me to make an appearance and --</p> <p>10 and check on everybody out there.</p> <p>11 Q What do you recall about that particular</p> <p>12 night in terms of what you did at the scene?</p> <p>13 A I don't remember doing anything other than</p> <p>14 finding out what happened.</p> <p>15 Q So you found out what happened at the</p> <p>16 scene?</p> <p>17 A I -- yes.</p> <p>18 Q Okay. Well, how did you find out what</p> <p>19 happened?</p> <p>20 A I would have talked to somebody out there.</p> <p>21 Q Do you recall who you spoke to?</p> <p>22 A No.</p> <p>23 Q And do you recall what they said?</p> <p>24 A Other than what I just told you in my --</p> <p>25 you know, the rundown of the scenario of the guns</p>

<p style="text-align: right;">70</p> <p>1 had been stolen from Walmart, the original call was 2 somebody on the front porch that somebody had seen 3 or the front door area on a ring camera with a gun. 4 Saldavar had gotten out there, located the person; 5 he was on the other side of the fence, had a gun in 6 his hand. Officer Saldavar fired his gun several 7 times, didn't strike the person, but -- I think he 8 struck a car, a building and maybe the fence, from 9 what I recall. But that was -- that's all I recall 10 from it. 11 Q Okay. And you said you recall watching a 12 video of the shooting? 13 A Uh-huh. Yes. 14 Q Do you recall reviewing the reports of 15 them -- of that investigation? 16 A Do I recall it? No. 17 Q Okay. 18 A Would I have? Yes, just because he was 19 under my command and the recommendation would have 20 come up from the chain of command because that's how 21 it works. 22 Q Uh-huh. 23 A But do I have an independent recollection 24 of reading it, I -- I don't. 25 Q Okay. Would you have read the report of</p>	<p style="text-align: right;">72</p> <p>1 A I thought. But I -- it's been so long, 2 I'm not going to -- I can't tell you for certain 3 that that happened or it didn't happen, actually. 4 Q Let -- let's just ask this question. What 5 are your expectations for an officer encountering a 6 person who has a -- a firearm in their hand? 7 A And officer -- 8 MR. GILES: Objection. Form. 9 BY MR. DUBE: 10 Q Per policy. 11 A Per policy -- 12 MR. GILES: Objection. Form. 13 THE DEPONENT: So -- so policy says, when 14 possible, to give a command. But the other -- you - 15 - you asked about my expectation. The other thing is 16 action is faster than reaction as well. 17 MR. DUBE: Uh-huh. 18 THE DEPONENT: And so certainly, officers 19 or really anybody at least in the State of Texas has 20 a right to defend themselves if they are in fear of, 21 you know, imminent bodily injury, death. And you 22 know, somebody having a -- a firearm, you know, 23 expectation, if you -- somebody has a firearm in 24 their hand and is encountered by a police officer, 25 the expectation is that you drop it whether we get</p>
<p style="text-align: right;">71</p> <p>1 the interview with the person who was shot at? 2 A I would have read whatever was in the 3 internal affairs report. So... 4 Q Do you recall reading that the person who 5 was shot at indicated that he had never raised his 6 gun at the officer? 7 MR. GILES: Objection. Form. 8 THE DEPONENT: I don't recall him saying 9 that. 10 BY MR. DUBE: 11 Q So let's -- let me guess I'll ask it. 12 What do you recall about what the various -- what 13 Officer Saldivar said happened and what the 14 witnesses or -- and what the person who was shot at 15 said? 16 A All I remember is that Officer Saldivar 17 had told him, you know, drop the gun for -- whatever 18 the words were. And then the person had the gun in 19 the hand and Rigo fired his. But as far as the -- I 20 -- I don't remember the exact -- I have not gone 21 back and reviewed that since probably 2018. So it's 22 probably been six -- five or six years since I've 23 read that report. 24 Q Do you have recollection of Officer 25 Saldivar telling the person drop the gun?</p>	<p style="text-align: right;">73</p> <p>1 the verbal command out or not, that they are still a 2 threat to the officer. 3 Q Per policy, should the officer give the 4 person an -- an opportunity to drop the weapon? 5 MR. GILES: Objection. Form. 6 THE DEPONENT: The policy say when 7 possible. It doesn't say that you -- you -- you 8 know, you have to or you're in violation of policy. 9 And so it's going to -- you know, depending on the 10 circumstances, it depends, you know -- there's -- 11 there's countless scenarios that, you know, we could 12 go through. And so you know, that's one thing with 13 policy is trying to give them enough guidance, but 14 also giving them the latitude to navigate through 15 these dynamic, ever-changing situations. And so we 16 can't write a policy for every single situation that 17 occurs, and so we basically trying to give the 18 officers, hey, these are -- these are the ground 19 rules you have to operate between, but we're not 20 going to tell you, you know, every single scenario 21 how to do it because it just would not be possible. 22 I mean, the scenario you're talking about, 23 with this one, I mean, the -- the officer -- I mean, 24 we're going to write a policy that says they don't 25 drop the -- you know, drop -- if they are given --</p>

<p style="text-align: right;">74</p> <p>1 you know, given instruction, drop the gun; they</p> <p>2 don't drop it within half a second, you're -- you</p> <p>3 know, and so it's got to be where it's possible.</p> <p>4 And so it's going to depend on -- it's going to</p> <p>5 depend on the circumstances and -- and in this</p> <p>6 particular scenario that -- that you're talking</p> <p>7 about with Officer Saldivar, it -- in my estimation,</p> <p>8 you know, it was a reasonable use of force.</p> <p>9 Q So you're affirming, you know, the</p> <p>10 determination that it was reasonable use of force?</p> <p>11 A The recommendation would have come in from</p> <p>12 the lieutenant and I would have concurred with it.</p> <p>13 I don't remember exactly when this happened. As far</p> <p>14 as recommendation came up, it -- these</p> <p>15 investigations typically take some time to play out.</p> <p>16 And so I don't remember was that made before I was</p> <p>17 the acting chief or was Chief Espinoza still there,</p> <p>18 because when this happened, I -- I don't know.</p> <p>19 Q Okay. And this happened April 2018.</p> <p>20 Correct?</p> <p>21 A Correct.</p> <p>22 Q And Mr. Schenk was shot on November 2018?</p> <p>23 A Yes.</p> <p>24 Q Okay. So as you're evaluating the</p> <p>25 circumstances of the shooting of Mr. Schenk, were</p>	<p style="text-align: right;">76</p> <p>1 video of Officer Saldivar. I don't know.</p> <p>2 Q Okay. And I don't know if you misspoke or</p> <p>3 not. You said the academy. So does the academy</p> <p>4 have authority or opportunity to meet with ca---</p> <p>5 with officers who are not cadets and actual officers</p> <p>6 who are actually on the force?</p> <p>7 A Sometimes they did.</p> <p>8 Q Okay. Was that -- was that -- would it be</p> <p>9 possible when you're assistant chief or acting chief</p> <p>10 or -- or appointed chief, did you have the -- the</p> <p>11 opportunity to recommend for an officer -- after</p> <p>12 reviewing a report, hey, maybe you've -- you fell</p> <p>13 within the structures of policy, but there's still</p> <p>14 things you could have done differently; review this</p> <p>15 with -- with a -- with instructor or some other type</p> <p>16 of training like that?</p> <p>17 A Yes.</p> <p>18 Q So you had that -- you had that ability to</p> <p>19 do that?</p> <p>20 A Yes.</p> <p>21 Q Okay.</p> <p>22 MR. GILES: Hey, Dimitri, we've been going</p> <p>23 about an hour or -- or even longer than that. Any</p> <p>24 chance we could take a break?</p> <p>25 MR. DUBE: Of course. How long?</p>
<p style="text-align: right;">75</p> <p>1 you area that Officer Saldivar had been involved in</p> <p>2 another shooting incident that same year?</p> <p>3 A Yes.</p> <p>4 Q Okay. Let's go back a little bit. So you</p> <p>5 -- I -- I hear you when you say that, you know, you</p> <p>6 can't give policy upfront to cover every possible</p> <p>7 scenario an officer will encounter on the street.</p> <p>8 A Correct.</p> <p>9 Q Okay. As when -- as assistant chief or as</p> <p>10 chief, or any time while you were at the police</p> <p>11 department, did -- was there ever any procedures to</p> <p>12 go over with the officer the video of the incident</p> <p>13 and -- and suggest how they could have handled that</p> <p>14 scenario differently?</p> <p>15 A Are you asking did it happen in this case</p> <p>16 or did it ever happen?</p> <p>17 Q Well, I -- well, both -- I'm going to ask</p> <p>18 you about did it ever happen and then -- so let's</p> <p>19 start with that first.</p> <p>20 A I -- I know from time to time the training</p> <p>21 academy would review videos of incidents; not just</p> <p>22 shootings, but pursuits, any kind of incident. They</p> <p>23 would review them. I can't tell you one way or</p> <p>24 another definitively whether, you know, in this</p> <p>25 particular incidence anybody, you know, watched the</p>	<p style="text-align: right;">77</p> <p>1 MR. GILES: Ten minutes.</p> <p>2 MR. DUBE: Sure.</p> <p>3 VIDEO TECHNICIAN: All right. The time is</p> <p>4 now 10:46. We are off the record.</p> <p>5 (Whereupon, a break was taken from the</p> <p>6 proceedings.)</p> <p>7 VIDEO TECHNICIAN: The time is now 11:01.</p> <p>8 We're back on the record.</p> <p>9 BY MR. DUBE:</p> <p>10 Q When you were in the -- worked in the</p> <p>11 chief's office, not just as the, you know, appointed</p> <p>12 chief, but assistant chief, interim chief and all of</p> <p>13 those things, did you keep apprized of national news</p> <p>14 stories related to police shooting incidents?</p> <p>15 A Yes.</p> <p>16 Q Why?</p> <p>17 A It's better information, current events,</p> <p>18 know what's going on.</p> <p>19 Q Did that inform how -- you know, what --</p> <p>20 how you trained your officers and what your -- what</p> <p>21 you informed them or anything of that sort?</p> <p>22 A I mean, that would be part of it. Learn</p> <p>23 from other -- you know, other incidents that</p> <p>24 happened.</p> <p>25 Q So I guess let's -- let's go just</p>

<p style="text-align: right;">78</p> <p>1 generally, you know -- I remember I asked you a 2 question before, if as internal affairs, if you 3 noticed any particular trends that needed to be, you 4 know, fixed or to let your officers at least -- that 5 would be the office -- the -- the job of the 6 persons, the people in the chief's office. Okay. 7 Remember -- do you recall that testimony? 8 A Uh-huh. 9 Q Okay. 10 A Yes. 11 Q And now, you know, we're in the part of 12 the story that you're going -- you're now in the 13 chief's office. Right? 14 A Right. 15 Q As assistant chief, as the -- as the 16 interim chief and then eventually as the actual 17 appointed chief. 18 A Correct. 19 Q In -- in -- in those capacities, how did 20 you direct policy and inform policy and things on 21 trends that you notice from -- from day-to-day 22 experience within your police force? 23 A Some of it would be conversations with the 24 -- with the training academy because they would 25 also, you know, stay abreast. But it -- it was, you</p>	<p style="text-align: right;">80</p> <p>1 A And the sergeant could provide roll call 2 training to the officers that are present. 3 Q Like these are things you need to keep -- 4 keep abreast of, things you need to know and be 5 aware of? 6 A Correct. 7 Q So the -- and what else? 8 A The training academy. 9 Q Uh-huh. 10 A In-service training could provide updated 11 training on -- on various, you know, topics. 12 Q Uh-huh. What else? 13 A We could push out training through a 14 platform we have on -- on different topics and it 15 will keep track of the officers that, you know, have 16 taken the training. Those are the main -- and then 17 -- and then there's one on one too, you know, if -- 18 you know, sometimes there's not a policy violation, 19 but maybe there's a better way to do it and so the 20 supervisor sitting down with -- with an officer and 21 saying, look, you did not violate policy, but maybe 22 there was a better way to do it. Because in -- in 23 police work, there's a -- you know, a lot of ways to 24 skin a cat. And so -- 25 Q Right.</p>
<p style="text-align: right;">79</p> <p>1 know, also, you know, if we had officer injuries, 2 you know, a -- one of the common things is, you 3 know, vehicle backing, all right, backing up, you 4 know. And so we would do an analysis to see, you 5 know, our crashes at the end of the year. And you 6 know, we may see a bunch of backing accidents and 7 so, you know, that may nece--- necessitate some, you 8 know, backing training, for example. And so it -- 9 it really just depends. 10 Q Uh-huh. So would you -- like how would 11 you -- if you notice something that needed to be 12 trained by your officers, how would you make that 13 known? What are the various forms of communication 14 you would use? 15 A Roll call training was a big one. 16 Q What -- what's that? 17 A Where the supervisor may go over a topic 18 in -- in -- in roll call. 19 Q Uh-huh. And what's roll call? Just 20 assume we know nothing about the police. 21 A Patrol at the beginning of the shift. 22 Q Uh-huh. 23 A The patrol shift that -- you know, they 24 will meet. 25 Q Uh-huh.</p>	<p style="text-align: right;">81</p> <p>1 A -- just because you do it one way and I do 2 it another doesn't make it wrong. One may be better 3 than the other, but it doesn't make the other 4 person's wrong. 5 Q And I guess what -- what was the culture 6 at the police depart--- Pasadena Police Department 7 while you were there in terms of providing those 8 type of training opportunities for the officers? 9 A We did it. That -- that was -- that was 10 important to me. You know, and on the discipline 11 side of things, if there was discipline that wasn't 12 just discipline, but if there was -- you know, reme- 13 -- remedial training aspect that went with it, we 14 would avail ourselves to that as well. 15 Q Okay. Did you guys go over, you know, I 16 guess past scenarios that had occurred involving 17 your officers to train current officers to how to 18 handle those situations? 19 A I know the academy uses some past 20 scenarios. Which ones, I don't know, but I do know 21 that they use -- 22 Q Okay. So I guess, then, let's back up a 23 little bit. What's the role of the academy in terms 24 of training officers post, you know, graduation from 25 -- from cadet school?</p>

<p style="text-align: right;">82</p> <p>1 A So the state requires ongoing training</p> <p>2 just like most professions. So you have to have so</p> <p>3 many hours of training. And so they provide that.</p> <p>4 But also, we -- I mean, the Pasadena Police</p> <p>5 Department as an organization each year would often</p> <p>6 times have mandatory training that we would put</p> <p>7 officers through, depending on, you know -- you</p> <p>8 know, maybe some current events, what's going on,</p> <p>9 you know, crisis intervention, mental health, you</p> <p>10 know, is one that, you know, comes to mind that, you</p> <p>11 know, I know we -- we did training on. Excited</p> <p>12 delirium is another one that I know that -- you</p> <p>13 know, and so that is another way that we would --</p> <p>14 would do it.</p> <p>15 Q Okay. As police, do -- do -- did you</p> <p>16 recall an incident involving the shooting of Tamir</p> <p>17 Rice?</p> <p>18 A Is that the one in Cleveland?</p> <p>19 Q Yes.</p> <p>20 A I -- I -- yes.</p> <p>21 Q You -- you were aware of that?</p> <p>22 A Yes.</p> <p>23 Q Do you recall the circumstances of that</p> <p>24 shooting?</p> <p>25 A I believe it was a juvenile. He had a</p>	<p style="text-align: right;">84</p> <p>1 A It -- if you can create space, to be able</p> <p>2 to create space at times, that was really the big</p> <p>3 takeaway is don't force the situation if you don't</p> <p>4 have to and take a little bit more time. That was,</p> <p>5 from what I recall, what the -- the message was.</p> <p>6 Q Do you recall like -- like around what</p> <p>7 year the Tamir Rice incident occurred?</p> <p>8 A No idea.</p> <p>9 Q Do you know whether or not it had occurred</p> <p>10 before or after the -- the -- and we're going to</p> <p>11 talk -- the shooting with the -- at the fence with</p> <p>12 Officer Saldivar, the person who was shot at, his</p> <p>13 name was Angel Ramirez. So I'm going to refer to</p> <p>14 that as the Ramirez shooting.</p> <p>15 A Okay.</p> <p>16 Q Okay? Do you recall whether or not it was</p> <p>17 before or after the Ramirez shooting?</p> <p>18 A I don't recall that.</p> <p>19 Q Okay. If it occurred before the Ramirez</p> <p>20 shooting, would that have been you think in your</p> <p>21 mind, in the back of your mind, at the time of the</p> <p>22 Ramirez shooting?</p> <p>23 A I -- six years ago, I don't remember.</p> <p>24 Q Okay. If it happened April twenty---</p> <p>25 about four years before the Ramirez shooting, would</p>
<p style="text-align: right;">83</p> <p>1 gun. The officer came up and I believe the -- the -</p> <p>2 - he ended up shooting Tamir Rice. I believe he had</p> <p>3 the gun in his hand. I -- I -- I don't remember if</p> <p>4 it was a firearm or a BB gun, but something. But</p> <p>5 vaguely, do I remember it? Yes. Much more than what</p> <p>6 I just told you, no, but that's -- yeah.</p> <p>7 Q No, that's pretty good. That's pretty --</p> <p>8 that -- that -- and it was a BB gun.</p> <p>9 A Was it? Okay.</p> <p>10 Q Do you recall the -- do you recall how</p> <p>11 long after the officer arrived on the scene that he</p> <p>12 shot Tamir Rice?</p> <p>13 A It was pretty quick. I remember that.</p> <p>14 Q Okay.</p> <p>15 A As far as time, I don't know.</p> <p>16 Q Did that present any opportunities -- or</p> <p>17 any opportunities for you in your department?</p> <p>18 A I know there were discussions about it</p> <p>19 amongst some of the -- the patrol supervisors in --</p> <p>20 in taking it to roll call. But other than that, no.</p> <p>21 Q Do you recall if it was actually ever</p> <p>22 taken to roll call?</p> <p>23 A I -- I know it's -- yes.</p> <p>24 Q And what -- what do you recall the</p> <p>25 discussion was at roll call training?</p>	<p style="text-align: right;">85</p> <p>1 you have expected that the -- the roll call training</p> <p>2 that you discussed would have occurred prior to the</p> <p>3 Ramirez shoo--- shooting?</p> <p>4 A It would have, yes.</p> <p>5 Q Okay. So it would have happened fairly</p> <p>6 quickly after the Tamir Rice shooting became</p> <p>7 national news?</p> <p>8 A Somewhere -- yes. Somewhere. Yeah.</p> <p>9 Q I'm going to show you what's been</p> <p>10 previously marked as exhibit 19. I'm going to play</p> <p>11 it both at regular speed and then --</p> <p>12 MR. DUBE: Video -- video tech -- I forgot</p> <p>13 your name, sir. What's your name, sir?</p> <p>14 EXHIBIT TECHNICIAN: My name is Vincent.</p> <p>15 MR. DUBE: Vincent. Sorry about that,</p> <p>16 Vincent. Could you --</p> <p>17 EXHIBIT TECHNICIAN: No problem.</p> <p>18 MR. DUBE: Once you start playing it,</p> <p>19 could you give me I guess keyboard control?</p> <p>20 EXHIBIT TECHNICIAN: Yes, just give me one</p> <p>21 moment. I just need to get it up.</p> <p>22 MR. DUBE: And you're playing it with a</p> <p>23 VIC player. Correct?</p> <p>24 EXHIBIT TECHNICIAN: Yes. I'm playing it</p> <p>25 over -- sharing it now. You should see the video.</p>

<p style="text-align: right;">86</p> <p>1 MR. DUBE: Okay. Yeah.</p> <p>2 EXHIBIT TECHNICIAN: Correct?</p> <p>3 MR. DUBE: Do you see it?</p> <p>4 THE DEPONENT: Yes.</p> <p>5 EXHIBIT TECHNICIAN: Let me -- just give</p> <p>6 me a moment to -- all right. You should have</p> <p>7 control.</p> <p>8 MR. DUBE: Okay. Is this exhibit 19?</p> <p>9 EXHIBIT TECHNICIAN: Yes.</p> <p>10 MR. DUBE: Okay.</p> <p>11 BY MR. DUBE:</p> <p>12 Q So I'm showing you what has been marked as</p> <p>13 exhibit 19. It's a shooting. It's the Ramirez</p> <p>14 shooting, captured on Officer Saldivar's body cam</p> <p>15 video.</p> <p>16 A Okay.</p> <p>17 Q Okay? And you -- you recall having seen</p> <p>18 that?</p> <p>19 A At some point. Maybe years ago, yes.</p> <p>20 MR. DUBE: I mo--- I move exhibit 19 into</p> <p>21 evidence. Any objection?</p> <p>22 MR. GILES: No objection to its admission</p> <p>23 during the deposition.</p> <p>24 MR. DUBE: Okay. Thank you. How about</p> <p>25 Steven, any opposition? Steven, any opposition?</p>	<p style="text-align: right;">88</p> <p>1 Q Okay. Do you think is that consistent</p> <p>2 with his training?</p> <p>3 MR. GILES: Objection. Form.</p> <p>4 THE DEPONENT: Is it consistent with</p> <p>5 training? Could be, yes.</p> <p>6 BY MR. DUBE:</p> <p>7 Q What factors would you -- would you</p> <p>8 analyze?</p> <p>9 A The -- the threat to Officer Saldivar.</p> <p>10 Somebody's got a gun in their hand. Again, action</p> <p>11 being faster than reaction certainly could, you know</p> <p>12 -- gun in the hand, you know, at his side is -- is a</p> <p>13 -- could be a threat to the officer.</p> <p>14 Q Texas is an open carry state. Correct?</p> <p>15 A Hasn't always been.</p> <p>16 Q Okay. Do you recall if it was in 2018?</p> <p>17 A 2018? I don't recall.</p> <p>18 Q Okay. Are officers authorized to shoot</p> <p>19 individuals solely because they have a weapon in</p> <p>20 their hand?</p> <p>21 A Depends on the circumstances.</p> <p>22 Q Right. That's -- but is the -- is the</p> <p>23 presence of a gun in a person's hand sufficient</p> <p>24 reason on its own for an officer to open fire?</p> <p>25 A It could be.</p>
<p style="text-align: right;">87</p> <p>1 The Deponent: He's on mute.</p> <p>2 MR. DUBE: Oh.</p> <p>3 MR. SELBE: I -- I have no objection to it</p> <p>4 being played in the deposition.</p> <p>5 MR. DUBE: Thank you, sir.</p> <p>6 (Plaintiff's exhibit 19 referenced by</p> <p>7 identification.)</p> <p>8 (Whereupon, a video was played.)</p> <p>9 BY MR. DUBE:</p> <p>10 Q What are your thoughts about seeing that?</p> <p>11 MR. GILES: Objection. Form.</p> <p>12 THE DEPONENT: My -- my thoughts?</p> <p>13 MR. DUBE: Uh-huh.</p> <p>14 THE DEPONENT: I'm not sure what -- I</p> <p>15 mean, I can tell you what I saw. I don't know --</p> <p>16 BY MR. DUBE:</p> <p>17 Q Sure. What do you see?</p> <p>18 A I saw him get out. Clearly -- or at least</p> <p>19 to me, my thought is, he says, oh shit, which would</p> <p>20 indicate to me or is consistent with his, you know,</p> <p>21 account of it where, you know, he had a gun in his</p> <p>22 hand and he discharged his weapon.</p> <p>23 Q Uh-huh. Did you tell him tell the</p> <p>24 individual to drop a weapon?</p> <p>25 A No.</p>	<p style="text-align: right;">89</p> <p>1 Q Okay. What -- what factors could make it</p> <p>2 so?</p> <p>3 A If -- if an officer is in uniform, gets</p> <p>4 out to contact the individual and they have a gun in</p> <p>5 their hand, the -- I -- there's a reasonable</p> <p>6 expectation that -- I mean, it's a threat to the</p> <p>7 officer, a threat to anybody, but certainly, you</p> <p>8 know, a law enforcement officer gets out -- you</p> <p>9 know, contacts somebody and they have a gun in their</p> <p>10 hand, I believe that it could pose an imminent</p> <p>11 threat of death or bodily injury to themselves or</p> <p>12 somebody else.</p> <p>13 Q So -- so the officer would then be</p> <p>14 authorized to shoot on site?</p> <p>15 A In this cir---</p> <p>16 MR. GILES: Objection. Form.</p> <p>17 THE DEPONENT: -- circumstance I just gave</p> <p>18 you, yes.</p> <p>19 BY MR. DUBE:</p> <p>20 Q How does that play with re--- with respect</p> <p>21 to what we just discussed with the Tamir Rice</p> <p>22 shooting and -- and the need to sometimes take time</p> <p>23 and assess and -- and everything else you said</p> <p>24 before?</p> <p>25 MR. GILES: Objection. Form.</p>

<p style="text-align: right;">90</p> <p>1 THE DEPONENT: So I think there's a couple</p> <p>2 things here. I think one is -- I mean, hindsight's</p> <p>3 always 2020, and the other is because you or</p> <p>4 somebody else thinks it should be done one way</p> <p>5 doesn't make the way another person does it as wrong</p> <p>6 or unjust -- or not justified. And so it -- it -- it</p> <p>7 depends.</p> <p>8 Q Uh-huh.</p> <p>9 A And so, you know, potentially, you know,</p> <p>10 could another officer have handled this another way</p> <p>11 and been justified? Yes. But it doesn't make</p> <p>12 Officer Saldivar's wrong. You know, a reasonable</p> <p>13 officer in that situation and in that set of</p> <p>14 circumstance, you know, I believe could take the</p> <p>15 same actions or would take the same actions.</p> <p>16 Q Let me ask this question. Do you think</p> <p>17 the way that Officer Saldi--- actually, I already</p> <p>18 asked that question. I'll strike that. Would there</p> <p>19 have been an opportunity to do an evaluation and</p> <p>20 investigation of this to then speak to Officer</p> <p>21 Saldivar regarding how he handled the situation?</p> <p>22 A Could -- I mean, every situation, you</p> <p>23 could talk about it. So is it an opportunity? Of</p> <p>24 course. I mean, any incident there is, there's an</p> <p>25 opportunity to discuss it.</p>	<p style="text-align: right;">92</p> <p>1 it. Just give me one moment.</p> <p>2 MR. DUBE: No worries.</p> <p>3 EXHIBIT TECHNICIAN: And you would like</p> <p>4 the same exhibit, exhibit 19?</p> <p>5 MR. DUBE: Yes.</p> <p>6 EXHIBIT TECHNICIAN: Okay.</p> <p>7 BY MR. DUBE:</p> <p>8 Q So when you watch videos like this, do you</p> <p>9 watch it at regular speed or do you sometimes slow</p> <p>10 it down?</p> <p>11 A You usually do it in both, but you also</p> <p>12 have to be careful with, you know, body cam, dash</p> <p>13 cam, for two reasons. One is the field of view is</p> <p>14 often different than the officer's field of view at</p> <p>15 the time that the event occurred. And the other is</p> <p>16 we have the luxury of looking at it in hindsight and</p> <p>17 Monday morning quarterbacking an officer's split</p> <p>18 second decisions, slowing it down. And whether it's</p> <p>19 Rigo, Officer Saldivar or any other officer, don't</p> <p>20 have the advantage of slow motion out there at the</p> <p>21 scene. So it's -- it's a dynamic situation.</p> <p>22 And so again, you have to judge it</p> <p>23 through, you know, reasonableness, you know, the</p> <p>24 threat, the -- the totality of the circumstances and</p> <p>25 not just frame by frame. But do we look at them in</p>
<p style="text-align: right;">91</p> <p>1 Q Okay. Was -- do you know whether or not</p> <p>2 Officer Sal--- Saldivar was trained after this</p> <p>3 incident how -- regarding the way he handled this</p> <p>4 particular shooting?</p> <p>5 A I don't know the answer to that.</p> <p>6 Q Would you have expected him to -- would</p> <p>7 you have expected -- was that a policy of the police</p> <p>8 department to go over shootings and other similar</p> <p>9 incidents with the officer afterwards to dis--- to -</p> <p>10 - to explain to them or to -- you know, what better</p> <p>11 ways to handle the situation could have been?</p> <p>12 MR. GILES: Objection. Form.</p> <p>13 THE DEPONENT: That was a long question.</p> <p>14 BY MR. DUBE:</p> <p>15 Q Sure. I'll reask it. Did you have a</p> <p>16 policy in the Pasadena Police Department to review</p> <p>17 shootings or other significant uses of force of</p> <p>18 officers regarding the way they handled the</p> <p>19 situation?</p> <p>20 A There was not a policy, no.</p> <p>21 MR. DUBE: Vincent, this is in media</p> <p>22 player. Is there a possibility for us to do it in</p> <p>23 VIC player?</p> <p>24 EXHIBIT TECHNICIAN: Let me see. I</p> <p>25 believe so. I will have to unshare and then reshare</p>	<p style="text-align: right;">93</p> <p>1 slow motion? Absolutely. But it's more than just</p> <p>2 looking at a video in slow motion and identifying</p> <p>3 something after the fact. It's again, the -- the --</p> <p>4 Q Totality?</p> <p>5 A The totality of it. And on this</p> <p>6 particular one, it's, you know, the middle of the</p> <p>7 night. I know the original call was he was at a --</p> <p>8 you know, at least in front of the -- I believe he</p> <p>9 was knocking on a door, actually, with a gun in his</p> <p>10 hand. And so, you know, Officer Saldivar, you know</p> <p>11 -- armed is the wrong word -- but you know, armed</p> <p>12 with that inform--- you know, having that -- that</p> <p>13 knowledge going into the situation, you know, is a</p> <p>14 factor in it other than just a video at slow motion</p> <p>15 or frame by frame.</p> <p>16 Q Thank you.</p> <p>17 A And while you're loading it, I -- you</p> <p>18 know, the -- the example I'll give you is right</p> <p>19 here, is this body camera is facing toward the left-</p> <p>20 hand of the street.</p> <p>21 Q Uh-huh.</p> <p>22 A You know, from the picture here, Saldavar</p> <p>23 -- whether he is or he isn't, I don't know, but just</p> <p>24 as an example, he could be looking to the left right</p> <p>25 now and see something that you and I don't see on</p>

<p style="text-align: right;">94</p> <p>1 body camera right here after the fact. 2 Q Uh-huh. 3 A And so I think that, you know, we need to 4 make sure that -- or I want to make sure that the 5 record at least reflects that, you know, body 6 cameras and dash cameras are a great tool, but they 7 can have limitations and, you know. 8 Q Yeah. But the can also -- they can also 9 show -- you know, resolve factual discrepancies. 10 Correct? 11 A Potentially, yes. 12 MR. DUBE: I'm trying to press play and 13 it's not happening. Okay. I'm trying one more 14 down. 15 BY MR. DUBE: 16 Q Do you recall whether or not you watched 17 this particular incident on -- in slow motion or 18 not? 19 A I don't recall. 20 Q Okay. 21 (Whereupon, a video was played.) 22 BY MR. DUBE: 23 Q Can you describe what you are seeing? 24 A I see a gun and it appears to be in his 25 left hand.</p>	<p style="text-align: right;">96</p> <p>1 Q Okay. Did he give an oppor-- did -- do 2 you -- did he give him sufficient time to drop the 3 weapon before he began firing? 4 A I believe he did. 5 Q Okay. 6 A He got out of the car in a marked police 7 car. He's in a marked police car with lights on and 8 a uniform. 9 Q And do you recall what the person had done 10 right immediately beforehand? 11 A Stole the guns from Walmart and then was 12 at -- on the front porch of somebody's house that 13 called the police with a gun in his hand. 14 Q Do you recall that the person had just 15 jumped the fence? Correct? Do you recall that 16 part? 17 A I don't -- I don't -- no. 18 Q Okay. 19 A I don't know how he got over the fence. I 20 don't recall that. 21 Q Okay. Would you have recalled -- would 22 you have recalled that at the time you reviewed this 23 incident? 24 A Yeah. Yeah, 'cause it -- I mean, if it's 25 in the report, yes, I would have.</p>
<p style="text-align: right;">95</p> <p>1 Q Uh-huh. 2 A It almost looked like it was tilted a 3 little forward, not straight down, but titled a 4 little forward is what it looked like to me. 5 Q Okay. Uh-huh. 6 A And you have an officer that's in uniform 7 in a police car. 8 Q Uh-huh. 9 A It looks like his lights are on, so it's 10 pretty clear -- or should be clear, at least as I 11 evaluate this, that he knows he's being contacted by 12 the police. 13 Q Uh-huh. 14 (Whereupon, a video was played.) 15 BY MR. DUBE: 16 Q Did you see any opportunity where Officer 17 Saldivar gave the person an opportunity to drop 18 their weapon? 19 A Did I see it? 20 MR. GILES: Objection. Form. 21 BY MR. DUBE: 22 Q Uh-huh. Did he -- well, let me ask you, 23 did he -- did he state -- ask the person to drop the 24 weapon? 25 A Did he state? No.</p>	<p style="text-align: right;">97</p> <p>1 Q Okay. 2 A But the -- the other thing, I mean, 3 talking about the fence, I mean, clearly you can see 4 through it. He could -- Officer Saldivar can see 5 him and see the -- the gun and -- 6 Q Uh-huh. 7 A -- the other person has the same 8 opportunity. And so that fence is not -- it's not a 9 barrier. It's not bullet proof. It's not -- and so 10 certainly, the -- you know, the -- the presence of 11 the fence does not take away the threat, you know, 12 to Officer Saldivar or others of death or, you know, 13 serious bodily injury because he has a firearm. 14 Q So was -- was there any opportunity in -- 15 upon what you just reviewed for Officer Salv-- 16 Saldivar to have handled this situation differently 17 or in a better way? 18 MR. GILES: Objection. Form. 19 TEH DEPONENT: Is there an opportunity? I 20 -- I -- I -- I don't know the answer to that. I 21 mean, we can play the what-if game. I mean, he 22 could have given him a, you know, drop the gun, but 23 -- 24 Q So -- 25 A -- again, action -- it's possible, but</p>

<p style="text-align: right;">98</p> <p>1 action being faster than reaction, the person could</p> <p>2 have responded by firing a firearm at -- toward</p> <p>3 Officer Saldivar. So you know, could he have done</p> <p>4 it? Yeah. What would the result have been? Maybe</p> <p>5 he dropped it; maybe he shot at him. We don't know.</p> <p>6 Q Yeah. I'm not asking you what the result</p> <p>7 is. I'm asking, you know, from your position as</p> <p>8 chief of police, assistant chief, where you're</p> <p>9 trying to, you know, evaluate and train officers to</p> <p>10 handle these situations and other situations, you</p> <p>11 know, like -- you know, upon reviewing this, you</p> <p>12 know, were the -- you know, would you have trained</p> <p>13 Officer Saldivar to handle this in a better way or</p> <p>14 given him guidance as to how to handle this in a</p> <p>15 different way?</p> <p>16 A No.</p> <p>17 MR. GILES: Objection. Form.</p> <p>18 BY MR. DUBE:</p> <p>19 Q So -- so you really -- so it's your</p> <p>20 testimony that you believe he handled this situation</p> <p>21 in an optimal way?</p> <p>22 MR. GILES: Objection. Form.</p> <p>23 THE DEPONENT: I -- I believe it was</p> <p>24 within policy and state law.</p> <p>25 BY MR. DUBE:</p>	<p style="text-align: right;">100</p> <p>1 BY MR. DUBE:</p> <p>2 Q Did you obs--- did you observe the person</p> <p>3 raising their gun towards the officer at any point</p> <p>4 during this incident?</p> <p>5 A You couldn't see it.</p> <p>6 Q Okay. In the video, you could -- you did</p> <p>7 not see the person raising their gun at the officer.</p> <p>8 Correct?</p> <p>9 MR. GILES: Objection. Form.</p> <p>10 By Mr. Dube:</p> <p>11 Q You -- and I can play it again for you.</p> <p>12 A You cannot see it because he's being</p> <p>13 blocked.</p> <p>14 BY MR. DUBE:</p> <p>15 Q Okay. Well, do you see a person raising</p> <p>16 the gun -- what -- what blocks the view?</p> <p>17 A Officer Saldivar.</p> <p>18 Q Doing what?</p> <p>19 A Raising his firearm.</p> <p>20 Q Okay. So do you agree with me that prior</p> <p>21 to Officer Saldivar raising his weapon that the</p> <p>22 person did not first raise -- raise their weapon?</p> <p>23 MR. GILES: Objection. Form.</p> <p>24 BY MR. DUBE:</p> <p>25 Q From what you could see.</p>
<p style="text-align: right;">99</p> <p>1 Q That's not the question I asked. So if</p> <p>2 you -- if you can answer my question, I -- I would</p> <p>3 really appreciate that. The question I asked --</p> <p>4 MR. GILES: Objection. Form.</p> <p>5 BY MR. DUBE:</p> <p>6 Q The question I asked was, do you believe</p> <p>7 that Officer Saldivar handled the situation in an</p> <p>8 optimal way?</p> <p>9 A Yes.</p> <p>10 MR. GILES: Objection. Form.</p> <p>11 BY MR. DUBE:</p> <p>12 Q And you would agree with me that he did</p> <p>13 not inform the per--- he did not ask the person to</p> <p>14 drop the weapon. Correct?</p> <p>15 A He did not verbalize. Correct.</p> <p>16 Q Okay. And you would agree with me that</p> <p>17 the video shows that upon immediately seeing the</p> <p>18 person with the weapon at his side, Officer Saldivar</p> <p>19 says, oh, shit, and then begins shooting.</p> <p>20 MR. GILES: Objection. Form.</p> <p>21 THE DEPONENT: Yes.</p> <p>22 BY MR. DUBE:</p> <p>23 Q Okay. That's what you observed?</p> <p>24 A Yes.</p> <p>25 MR. GILES: Objection. Form.</p>	<p style="text-align: right;">101</p> <p>1 A The only thing I can tell you definitively</p> <p>2 is the last spot that you see the firearm is at his</p> <p>3 side. What happens after that, I can't tell you</p> <p>4 based on the video.</p> <p>5 BY MR. DUBE:</p> <p>6 Q Okay. If the person never raised his</p> <p>7 weapon prior to Officer Saldivar discharging his</p> <p>8 weapon, would that still have been a justified use</p> <p>9 of force?</p> <p>10 A I answered --</p> <p>11 MR. GILES: Objection. Form.</p> <p>12 THE DEPONENT: I answered that yes.</p> <p>13 BY MR. DUBE:</p> <p>14 Q Okay. Even if he never raised his weapon?</p> <p>15 A Correct.</p> <p>16 MR. GILES: Objection.</p> <p>17 BY MR. DUBE:</p> <p>18 Q So if he had the weapon at his side during</p> <p>19 the entire encounter, the mere presence of the</p> <p>20 weapon in his hand would be sufficient reason for</p> <p>21 the officer to shoot at him?</p> <p>22 MR. GILES: Objection. Form.</p> <p>23 THE DEPONENT: I mean, it's a</p> <p>24 hypothetical. It's -- 'cause I -- I don't have all</p> <p>25 the facts that -- all I can tell you is what I know,</p>

<p style="text-align: right;">102</p> <p>1 you know, or believe happened in this event.</p> <p>2 BY MR. DUBE:</p> <p>3 Q No. I'm not asking about this event. I</p> <p>4 am giving you, in fact, a hypothetical. If the</p> <p>5 person never raised his weapon and he had the weapon</p> <p>6 at his side the entire time, would the officer have</p> <p>7 been justified in shooting him at that time?</p> <p>8 A What are the circumstance --</p> <p>9 MR. GILES: Objection. Form. Objection.</p> <p>10 Form.</p> <p>11 TEH DEPONENT: What are the circumstances</p> <p>12 leading up to it, time of day, what information does</p> <p>13 the officer have? I mean --</p> <p>14 BY MR. DUBE:</p> <p>15 Q Okay. I'll -- I'll -- I'll -- I'll --</p> <p>16 I'll add to it.</p> <p>17 A Okay.</p> <p>18 Q To my hypothetical. So my hypothetical is</p> <p>19 the person has jumped a -- has been accused of</p> <p>20 stealing some pellet guns from Walmart. Okay?</p> <p>21 A Okay.</p> <p>22 Q He is observed at a -- at a residence.</p> <p>23 A Okay.</p> <p>24 Q Okay? An officer comes upon him.</p> <p>25 A Okay.</p>	<p style="text-align: right;">104</p> <p>1 A That's correct.</p> <p>2 Q Can you explain how that squares with I</p> <p>3 guess your review or your analysis of what occurred</p> <p>4 in the Tamir Rice shooting situation?</p> <p>5 MR. GILES: Objection. Form.</p> <p>6 THE DEPONENT: What do you mean?</p> <p>7 BY MR. DUBE:</p> <p>8 Q Can you explain how your view -- your</p> <p>9 review of this situation squares with the</p> <p>10 conclusions you stated you learned from the Tamir</p> <p>11 Rice shooting?</p> <p>12 MR. GILES: Objection. Form.</p> <p>13 THE DEPONENT: I don't know that I ever</p> <p>14 compared the two. I -- I didn't -- I didn't compare</p> <p>15 the two. I -- I -- what I told you about the Tamir</p> <p>16 Rice is all I know about the Tamir Rice. And so I</p> <p>17 evaluated this -- this event based on the facts and</p> <p>18 the circumstance that were available to me at the</p> <p>19 time and -- and --</p> <p>20 BY MR. DUBE:</p> <p>21 Q Do you see how somebody could make that</p> <p>22 comparison given the fact that both scenarios</p> <p>23 involved a teenager with a pellet gun, an officer</p> <p>24 shooting upon them within less than a second of</p> <p>25 arriving at the scene?</p>
<p style="text-align: right;">103</p> <p>1 Q Right? And he -- he has jumped the fence</p> <p>2 prior to officer coming up upon him. The officer</p> <p>3 sees him and the officer -- and he has a gun at his</p> <p>4 side without ever raising it at the officer. Is</p> <p>5 that sufficient reason for the officer to shoot at</p> <p>6 him at that time?</p> <p>7 MR. GILES: Objection. Form.</p> <p>8 THE DEPONENT: Yes.</p> <p>9 BY MR. DUBE:</p> <p>10 Q Okay. Is the gun at a person's side, does</p> <p>11 that police officer in a bodily harm or death?</p> <p>12 MR. GILES: Objection. Form.</p> <p>13 THE DEPONENT: I think it depends on the</p> <p>14 circumstances.</p> <p>15 BY MR. DUBE:</p> <p>16 Q Okay. In this video, was the -- was -- is</p> <p>17 it, in your opinion, Officer Saldivar was in</p> <p>18 imminent bodily -- or imminent harm of bodily harm</p> <p>19 or death?</p> <p>20 A Yes.</p> <p>21 Q Okay. Is it also your testimony that upon</p> <p>22 viewing -- reviewing the video, you did not feel any</p> <p>23 need to -- to counsel or guide Officer Saldivar into</p> <p>24 how to better approach this or similar situations in</p> <p>25 the future?</p>	<p style="text-align: right;">105</p> <p>1 THE DEPONENT: Do I --</p> <p>2 MR. GILES: Objection. Form.</p> <p>3 TEH DEPONENT: -- see how somebody could?</p> <p>4 BY MR. DUBE:</p> <p>5 Q Yeah.</p> <p>6 A I --</p> <p>7 Q Do you -- yes.</p> <p>8 THE DEPONENT: I -- I mean, I -- I don't</p> <p>9 know the answer to that. I don't know what other</p> <p>10 people --</p> <p>11 BY MR. DUBE:</p> <p>12 Q Well, okay, do you see a comparison</p> <p>13 between the two?</p> <p>14 MR. GILES: Objection. Form.</p> <p>15 MR. DUBE: Personally.</p> <p>16 THE DEPONENT: Do I --</p> <p>17 MR. GILES: Objection.</p> <p>18 THE DEPONENT: The problem is I don't have</p> <p>19 enough information other than the limited that I</p> <p>20 have on Tamir Rice. I got more on this one.</p> <p>21 There's at least some video. The circumstances, I -</p> <p>22 - I don't remember the circumstance leading up to</p> <p>23 Tamir Rice.</p> <p>24 MR. DUBE: Uh-huh.</p> <p>25 THE DEPONENT: And so I think we have to</p>

<p style="text-align: right;">106</p> <p>1 be careful looking at them in a vacuum and saying</p> <p>2 this is a teenager with a pellet gun who was shot</p> <p>3 pretty quickly and the same thing with Tamir Rice.</p> <p>4 I don't think Tamir Rice was accused of going to</p> <p>5 Walmart, stealing guns. I don't think he was on</p> <p>6 Ring kit. So I don't know even know that it was the</p> <p>7 middle of the night. And so could somebody compare</p> <p>8 them? Sure. But you -- you got to have the fa--- I</p> <p>9 mean, anybody can do anything, but you got to have</p> <p>10 the facts to be able to -- to compare them. You</p> <p>11 can't just say this Tamir Rice because of a pellet</p> <p>12 gun and a teenager and getting shot quickly.</p> <p>13 Q And it's your testimony that you believe</p> <p>14 the officer handled it -- Saldivar handled the</p> <p>15 situation in an optimal way.</p> <p>16 MR. GILES: Object. Form.</p> <p>17 MR. SELBE: Object to the form.</p> <p>18 THE DEPONENT: I've answered this like</p> <p>19 three times. Yes.</p> <p>20 BY MR. DUBE:</p> <p>21 Q Thank you. Sometimes the reason I might</p> <p>22 ask a question has nothing to do your answers. I</p> <p>23 didn't like the way I asked the question the first</p> <p>24 time, so I have to ask it the way I want to ask it.</p> <p>25 MR. GILES: Object to the sidebar comment.</p>	<p style="text-align: right;">108</p> <p>1 what's shortly after?</p> <p>2 A Probably within the hour.</p> <p>3 Q Okay.</p> <p>4 A Normally, a significant event like this,</p> <p>5 it goes up the chain of command. It's probably much</p> <p>6 sooner than that. It's probably within 15, 20</p> <p>7 minutes, but safe to say an hour.</p> <p>8 Q And how did you become aware of it? Like</p> <p>9 who contacted you? Do you recall?</p> <p>10 A No. Somebody would have called me, but I</p> <p>11 don't know who.</p> <p>12 Q Did you have a work phone or a personal</p> <p>13 phone?</p> <p>14 A A personal phone.</p> <p>15 Q Okay. So they would have called your</p> <p>16 personal phone --</p> <p>17 A Uh-huh.</p> <p>18 Q -- to -- to apprise you of the shoot---</p> <p>19 A Yes.</p> <p>20 Q -- the shooting? Okay. Do you use your</p> <p>21 personal phone for work?</p> <p>22 A Phone calls, yes.</p> <p>23 Q Okay. How about text messages?</p> <p>24 A Occasionally.</p> <p>25 Q Did you -- do you use your personal phone</p>
<p style="text-align: right;">107</p> <p>1 MR. DUBE: I'm just trying to help him</p> <p>2 out. So yeah --</p> <p>3 MR. GILES: Object to the sidebar. It --</p> <p>4 it -- ask the question.</p> <p>5 BY MR. DUBE:</p> <p>6 Q All right. So on November 18, 2018, what</p> <p>7 -- what was your role?</p> <p>8 A The interim or the acting chief.</p> <p>9 Q So you had been there just for a short</p> <p>10 amount of time. Correct?</p> <p>11 A In that capacity, yes.</p> <p>12 Q And I'm going to refer to the incident</p> <p>13 where Officer Saldivar shot Mr. Schenk as the Schenk</p> <p>14 shooting.</p> <p>15 A Okay.</p> <p>16 Q Is that fair?</p> <p>17 A Yes.</p> <p>18 Q Okay. When did you first become aware of</p> <p>19 the Schenk shooting?</p> <p>20 A Shortly after it happened.</p> <p>21 Q Were you -- did you make it out to the</p> <p>22 scene that night?</p> <p>23 A I did.</p> <p>24 Q Okay. So when you say shortly after it</p> <p>25 happened, like what -- what does that mean? Or</p>	<p style="text-align: right;">109</p> <p>1 for work in any other way?</p> <p>2 A No.</p> <p>3 Q Do you have social media?</p> <p>4 A Yes.</p> <p>5 Q Okay. What social media do you have?</p> <p>6 A Facebook, Instagram, Twitter, Snapchat.</p> <p>7 That's it.</p> <p>8 Q Okay. Did you use any of those social</p> <p>9 media to communicate with anyone regarding your work</p> <p>10 responsibilities?</p> <p>11 A No.</p> <p>12 Q Facebook Messenger, Instagram direct</p> <p>13 messages or anything like that?</p> <p>14 A No.</p> <p>15 Q Who had access to your phone number of --</p> <p>16 for work purposes?</p> <p>17 A I -- I don't know.</p> <p>18 Q Was it po--- was it posted that this is</p> <p>19 the chief's number; in case of any emergencies,</p> <p>20 please contact him?</p> <p>21 A It was probably in dispatch that way.</p> <p>22 Q Okay.</p> <p>23 A Not like on a bulletin board or something,</p> <p>24 but they had a -- they had a significant --</p> <p>25 significant event notification list or checklist to</p>

<p style="text-align: right;">110</p> <p>1 make sure the right people got notified.</p> <p>2 Q What telephone carrier do you use?</p> <p>3 A Verizon.</p> <p>4 Q Were you using Verizon back in 2018?</p> <p>5 A Yes.</p> <p>6 Q Okay. And 2021?</p> <p>7 A Yes.</p> <p>8 Q Do you recall whether or not you had any</p> <p>9 communications with anyone regarding the Ramirez</p> <p>10 shooting or the Schenk shooting using your personal</p> <p>11 phone?</p> <p>12 A Not that I recall.</p> <p>13 Q You can't rule it out, though, correct?</p> <p>14 A Definitely, no.</p> <p>15 Q Do you still have the same phone now that</p> <p>16 you had in 2018?</p> <p>17 A No.</p> <p>18 Q Okay. Do you still have access to the</p> <p>19 phone that you had in 2018?</p> <p>20 A No.</p> <p>21 Q Where is it?</p> <p>22 A I have no idea.</p> <p>23 Q Did you dispose of it?</p> <p>24 A Traded it in to Verizon, I think.</p> <p>25 Q Do you recall when?</p>	<p style="text-align: right;">112</p> <p>1 Q Okay. All right. So I got sidetracked.</p> <p>2 Let's go back. So you receive a call regarding your</p> <p>3 phone -- on your personal phone about the shooting.</p> <p>4 What -- what were you told?</p> <p>5 A That -- that there had been an officer-</p> <p>6 involved shooting. I don't know if I was told who,</p> <p>7 the circumstances. I just know I was told there was</p> <p>8 a -- a shoo--- you know, a shooting.</p> <p>9 Q What did you do at that time?</p> <p>10 A Took a shower and got dressed.</p> <p>11 Q Okay. What did you do next?</p> <p>12 A Drove out to scene.</p> <p>13 Q Okay. How far was the scene from your</p> <p>14 house?</p> <p>15 A Probably an hour or close to it.</p> <p>16 Q What did you do in the hour drive?</p> <p>17 A Listened to the radio.</p> <p>18 Q Well, did you talk to anybody, any</p> <p>19 investigators or any detectives in that drive?</p> <p>20 A Not that I recall.</p> <p>21 Q Okay.</p> <p>22 A I'm going out there, so...</p> <p>23 Q So what happened once you arrived at the</p> <p>24 scene?</p> <p>25 A I would have gotten briefed by somebody on</p>
<p style="text-align: right;">111</p> <p>1 A No. At least a year ago, but I don't</p> <p>2 know. I don't know when.</p> <p>3 Q Do you recall whether or not you had that</p> <p>4 phone at the time this lawsuit was filed?</p> <p>5 A I have no idea.</p> <p>6 Q Do you recall whether an--- whether anyone</p> <p>7 told you to save that phone?</p> <p>8 A No. I know at some point there was a</p> <p>9 request at--- well, I don't even know if it was this</p> <p>10 lawsuit. At one point, there was a request for text</p> <p>11 messages and whatever. I just don't remember if it</p> <p>12 was this case or something else, but whatever it</p> <p>13 was, I know I didn't have anything responsive to</p> <p>14 what the subpoena was.</p> <p>15 Q How did you determine whether or not you</p> <p>16 had anything responsive to those requests?</p> <p>17 A Went through my phone.</p> <p>18 Q And that was the same phone that you had</p> <p>19 at the time of the Schenk shooting and the Ramirez</p> <p>20 shooting?</p> <p>21 A I -- I don't know. I went through what I</p> <p>22 had at the time and...</p> <p>23 Q Okay.</p> <p>24 A If they weren't on there, I didn't have</p> <p>25 them.</p>	<p style="text-align: right;">113</p> <p>1 what at least they knew at that point in the</p> <p>2 investigation.</p> <p>3 Q Do you recall what you were told?</p> <p>4 A At that point, I just remember it being</p> <p>5 pretty vague, that there was a traffic stop, the</p> <p>6 driver had taken off running, was discarding</p> <p>7 narcotics as he was running. There was a physical</p> <p>8 struggle between the driver and Officer Saldivar.</p> <p>9 And at some point, Officer Saldivar discharged his</p> <p>10 weapon, striking and killing the person.</p> <p>11 Q How long you -- were you at the scene for?</p> <p>12 A A couple hours. I think it was the night</p> <p>13 before Thanksgiving or somewhere around there, I</p> <p>14 think. But it was a couple of hours.</p> <p>15 Q Were you there when Officer Saldivar</p> <p>16 conducted his walk-through?</p> <p>17 A If I was there, I was not present for it.</p> <p>18 Q You did not observe him conducting his</p> <p>19 walk-through?</p> <p>20 A That's correct.</p> <p>21 Q Did you speak to Officer Saldivar that</p> <p>22 night?</p> <p>23 A Briefly.</p> <p>24 Q What did you speak to him about?</p> <p>25 A Just to make sure he was okay physically,</p>

<p style="text-align: right;">114</p> <p>1 that he had notified his family. And that was --</p> <p>2 that was the extent of it.</p> <p>3 Q Okay. Do you recall anything specific he</p> <p>4 said to you?</p> <p>5 A No. That he was good and he had already</p> <p>6 contacted wife, girlfriend, somebody. But that was -</p> <p>7 - that was the extent of the conversation.</p> <p>8 Q Where was he at the time you spoke to him?</p> <p>9 A He was sitting in the passenger side of a</p> <p>10 police car with another officer, I believe.</p> <p>11 Q Was that standard operating procedure?</p> <p>12 A Yes.</p> <p>13 Q Okay. And describe that procedure for me.</p> <p>14 A The -- after an officer's involved in a</p> <p>15 shooting, take them from the immediate area, put</p> <p>16 them in a -- a police vehicle with somebody else.</p> <p>17 Sometimes it's their choosing. If they don't have</p> <p>18 anybody in particular, we'll try to find somebody</p> <p>19 whose maybe been in a similar circumstance, a</p> <p>20 traumatic event like that. They are told don't</p> <p>21 discuss the -- y'all can talk about anything else,</p> <p>22 but don't discuss the event. And it's really there</p> <p>23 just to -- so they are not sitting in a car by</p> <p>24 themselves feeling alienated from everybody else.</p> <p>25 Q Actually, back up. At what point --</p>	<p style="text-align: right;">116</p> <p>1 you did at the scene that day once you arrived?</p> <p>2 A I got there, I checked on Officer</p> <p>3 Saldivar. I talked to Sergeant Skripka and</p> <p>4 Detective Cooper. And then honestly, after that, I</p> <p>5 just stood around shooting the breeze with people</p> <p>6 that were out there.</p> <p>7 Q And you just watched what was happening.</p> <p>8 Correct?</p> <p>9 A Actually, I really couldn't even see.</p> <p>10 When it was dark, there were a whole bunch of cars</p> <p>11 and my car was at the back. And so after my initial</p> <p>12 talking to those folks, I was back closer to my car,</p> <p>13 standing, talking for a while.</p> <p>14 Q Okay. Do you recall the nature of your</p> <p>15 conversation with -- with Sergeant Skripka?</p> <p>16 A Yes. It was very brief at that time. It</p> <p>17 was just the -- the -- the facts that, you know --</p> <p>18 and really, it was what Officer Saldivar had told</p> <p>19 them and kind of what they had -- had seen at that</p> <p>20 point, that I guess Schenk had run a stop sign in</p> <p>21 the area, traffic stop. Schenk got out of the car,</p> <p>22 started walking off. And then I know they had told</p> <p>23 me the route and they had -- they had walked it. I</p> <p>24 didn't go on the route that Schenk had run from the</p> <p>25 vehicle.</p>
<p style="text-align: right;">115</p> <p>1 because you say you were informed there was an</p> <p>2 officer-involved shooting. Correct?</p> <p>3 A Yes.</p> <p>4 Q Okay. At what point were you told the</p> <p>5 name of the officer who was involved?</p> <p>6 A I'm not sure when.</p> <p>7 Q Okay. Was it before you arrived at the</p> <p>8 scene or at the time you arrived at the scene?</p> <p>9 A I don't know the answer.</p> <p>10 Q Who -- who -- who all did you make contact</p> <p>11 with at the scene? You...</p> <p>12 A I know I talked to Sergeant Skripka.</p> <p>13 Q Uh-huh.</p> <p>14 A I believe I briefly talked to Detective</p> <p>15 Cooper.</p> <p>16 Q Uh-huh.</p> <p>17 A There were other people out there. I just</p> <p>18 don't know. There was a lot of people out there. I</p> <p>19 just don't know who else I talked to. I just know</p> <p>20 those two specifically.</p> <p>21 Q Okay. Were you there when the dash cam</p> <p>22 video was brought out, when the dash cam and body</p> <p>23 cam videos were brought out?</p> <p>24 A I don't recall seeing them that night.</p> <p>25 Q Can you, like, describe for us everything</p>	<p style="text-align: right;">117</p> <p>1 Q Uh-huh.</p> <p>2 A And they had said there were some</p> <p>3 narcotics that Schenk had thrown --</p> <p>4 Q Uh-huh.</p> <p>5 A -- or discarded as he was running from</p> <p>6 Officer Saldivar. They said that there was a</p> <p>7 physical struggle. They said that his body camera</p> <p>8 had been ripped off in the struggle.</p> <p>9 Q Uh-huh.</p> <p>10 A And at that point, they hadn't viewed it,</p> <p>11 so they didn't know what was on it, but they said it</p> <p>12 was on the ground there --</p> <p>13 Q Uh-huh.</p> <p>14 A -- when I talked to them. They said it</p> <p>15 was on the ground. And that was -- that was all I</p> <p>16 knew.</p> <p>17 Q They said the body camera was on the</p> <p>18 ground at the time they arrived?</p> <p>19 A It was on the ground at some point, they</p> <p>20 told me. I -- I -- where it was at when they got --</p> <p>21 I don't know. But it was -- at some -- I know at</p> <p>22 some point, they had told me it was on the ground.</p> <p>23 Q Got it.</p> <p>24 A That it had gotten ripped off, because my</p> <p>25 question was, did he have his body camera on, or</p>

<p style="text-align: right;">118</p> <p>1 something -- something along those lines. And the 2 response was, he did, but it was ripped off and on 3 the ground during part of the struggle. 4 Q Yeah. 5 A It's -- but where it was at when they got 6 there, the respon--- I -- I don't know. I just know 7 at some point, they had told me it was on the 8 ground. 9 Q Understood. So that's the conversation 10 with Sergeant Skripka? 11 A Yes. 12 Q Anything else you remember about that 13 conversation? 14 A That was it at that point. 15 Q How about officer -- Detective Cooper? 16 A It was almost identical to that. I -- I 17 think he had walked the actual route that Schenk had 18 taken. 19 Q Uh-huh. 20 A And so I -- I think he described in a 21 little bit more detail maybe the -- the narcotics 22 that were disposed of. I don't remember what it 23 was, but -- 24 Q Uh-huh. 25 A But he -- it was essentially the same</p>	<p style="text-align: right;">120</p> <p>1 investigations, but sometimes you have to -- he's 2 not a detail guy sometimes. And so that was -- you 3 know, you have to go back and get Cooper to -- 4 writing was not his strong suit at times. 5 Q Uh-huh. 6 A And so... 7 Q Any other observations about his work? 8 A No. He -- he's a hard worker. 9 Q Did you ever -- when he worked for you at 10 burglary and theft, did you ever disagree with con-- 11 - his conclusion on an investigation? 12 A Not that I recall. 13 Q Did you know him to do good work? 14 A He was a hard worker. 15 Q That's a different question. You can do - 16 - I mean -- 17 A But he -- he -- 18 Q -- you can do hard work -- 19 A He wasn't a detailed -- 20 Q You can -- 21 A He wasn't a detailed guy at times. He 22 didn't like to write the report. He wanted to go 23 out and catch the bad guys, but lots of times would 24 -- didn't -- you know, you had to stay on him to -- 25 to write the reports and to -- you know, but he --</p>
<p style="text-align: right;">119</p> <p>1 account at that point. 2 Q Did you know Detective Cooper prior to 3 this? 4 A Did I know him? 5 Q Yes. 6 A Yes. 7 Q How did you know him? 8 A We've worked -- I mean, he started shortly 9 after I did. 10 Q Uh-huh. 11 A He's worked -- he's worked for me a couple 12 of times. I -- that -- 13 Q So when and how did he work for you? 14 A He worked for me when I was over burglary 15 and theft, directly, at least. 16 Q Uh-huh. 17 A Probably as a chief. I mean, they all 18 work under you. But as far as -- 19 Q Yeah. Well -- well, when I mean work for 20 you, I mean directly. 21 A Yeah. Burglary and theft I believe is the 22 only time that he worked directly for me. 23 Q Okay. What were your interactions like 24 when he worked for you? 25 A He's a hard worker. He -- he does good</p>	<p style="text-align: right;">121</p> <p>1 he was a -- he was a hard worker and you just had to 2 stay on top of him sometimes. 3 Q What about his conclusions? Were they 4 usually reasonable and -- and -- and -- and good? 5 MR. GILES: Objection. Form. 6 THE DEPONENT: But investigators often -- 7 they don't usually draw a conclusion. 8 MR. DUBE: Uh-huh. 9 THE DEPONENT: I mean, burglary and theft, 10 it's -- you investigate it. Somebody identifies so 11 and so as the suspect. You get whatever evidence. 12 You present the charge. And so as far as presenting 13 a conclu--- or finding a clu--- I think when he 14 worked for me, that -- it's a -- it's a different 15 scenario than different -- other types of 16 investigations. 17 BY MR. DUBE: 18 Q Were -- were there any scenarios where he 19 had to try to figure out, you know, who stole what 20 or who committed the burglary? 21 A All the time. 22 Q Okay. Was he often right or wrong? Which 23 one? Was he often right in his conclusions? 24 A I -- I don't know of him being wrong. 25 Q Okay. Do -- so you know the -- so --</p>

<p style="text-align: right;">122</p> <p>1 okay, at the time he worked for you, there were</p> <p>2 never any instances where he drew the conclusion,</p> <p>3 assumed the -- the wrong person committed the crime?</p> <p>4 A Not that I'm aware of.</p> <p>5 Q So now we're back at the scene. You've --</p> <p>6 so you said a couple occasions. Did he work for --</p> <p>7 did Detective Cooper work for you on any other</p> <p>8 occasion besides burglary and theft?</p> <p>9 A I think when I was on patrol as a patrol</p> <p>10 sergeant.</p> <p>11 Q Okay.</p> <p>12 A Twenty years ago, maybe.</p> <p>13 Q Okay.</p> <p>14 A And then his ATF role, I created the --</p> <p>15 that -- that assignment, not for him, but created</p> <p>16 the assignment and he got picked for it over at ATF.</p> <p>17 And because of my relationship with the special</p> <p>18 agent in charge of ATF, I talked to Cooper maybe</p> <p>19 more than I would some other officers.</p> <p>20 Q Uh-huh.</p> <p>21 A But again, he -- still being assigned to</p> <p>22 A--- ATF still had a sergeant, still had a</p> <p>23 lieutenant and an assistant chief. But I would see</p> <p>24 him in the hallway and he would tell me what's going</p> <p>25 on over at ATF.</p>	<p style="text-align: right;">124</p> <p>1 wasn't there when all that -- no.</p> <p>2 Q Were you informed at -- at the scene where</p> <p>3 the -- where Mr. Schenk had been shot?</p> <p>4 A I don't recall, because whatever way he</p> <p>5 was laying, I know they couldn't see one side. I do</p> <p>6 remember that. But I don't -- I don't -- I don't</p> <p>7 remember if he was face up, face down. I -- I --</p> <p>8 like I said, all I could see is a body in the</p> <p>9 distance. It was dark --</p> <p>10 Q But --</p> <p>11 A -- and wet and I couldn't see.</p> <p>12 Q It was raining that night. Correct?</p> <p>13 A Yes.</p> <p>14 Q Okay. But you said you spoke to Sergeant</p> <p>15 Skripka and you spoke to Detective Cooper.</p> <p>16 A Yes.</p> <p>17 Q Correct? And they gave you a rundown of</p> <p>18 what happened. Correct?</p> <p>19 A Yes.</p> <p>20 Q Okay. And do you know whether or not they</p> <p>21 told you where on his body Mr. Schenk had wounds</p> <p>22 from the shooting that night?</p> <p>23 A At that night, I don't recall them telling</p> <p>24 me. It's not to say they didn't, but I don't recall</p> <p>25 them telling me that night.</p>
<p style="text-align: right;">123</p> <p>1 Q Okay. So who had regular interactions</p> <p>2 with him while he was at ATF?</p> <p>3 A Regular once a month, maybe, in the</p> <p>4 hallway.</p> <p>5 Q When was the ATF task force created?</p> <p>6 A Sometimes during my time as chief. But I</p> <p>7 don't -- it's been a couple of years. I --</p> <p>8 Q Okay. So -- so this would have been</p> <p>9 before or after the Schenk and Ramirez --</p> <p>10 A After. After.</p> <p>11 Q So now we're back at the scene. Did you -</p> <p>12 - did you observe the body cam or dash cam video at</p> <p>13 the scene?</p> <p>14 A No.</p> <p>15 Q When did you decide to leave the scene?</p> <p>16 A Whenever we ran out of things to talk</p> <p>17 about. I -- I don't know. I mean, it -- it -- I --</p> <p>18 I was there probably two hours, it seemed like, and</p> <p>19 then I left.</p> <p>20 Q Were you there when they discarded the</p> <p>21 body -- or removed the body from the scene?</p> <p>22 A I don't know. If I was, I wasn't over</p> <p>23 there. I never even -- I saw his body from a</p> <p>24 distance in the field, but I never -- never got up</p> <p>25 close to it or anything. And so I wasn't -- I</p>	<p style="text-align: right;">125</p> <p>1 Q Fair enough. I assume after you left the</p> <p>2 scene, you went home?</p> <p>3 A Yes.</p> <p>4 Q Okay. What's the next thing you recall,</p> <p>5 you know, doing or hearing in connection to the</p> <p>6 investigation?</p> <p>7 A At some point, I want to say it was the</p> <p>8 following week, after Thanksgiving, after the</p> <p>9 weekend, one of my assistant chiefs, Rick Styron,</p> <p>10 came to me and said -- or asked if I could meet with</p> <p>11 the investigators Cooper and Skripka because they</p> <p>12 wanted to run the Schenk shooting down to me, at</p> <p>13 least what they knew at that point.</p> <p>14 Q Okay. So the following week, so after the</p> <p>15 Thanksgiving holiday?</p> <p>16 A Yes.</p> <p>17 Q Okay. You were approached and said that</p> <p>18 Detective Cooper and Sergeant Skripka wanted to</p> <p>19 discuss the shooting with you?</p> <p>20 A Yes.</p> <p>21 Q Okay. Before Styron came to you and --</p> <p>22 and made that request, do you recall anything --</p> <p>23 hearing anything about the investigation or</p> <p>24 participating in any way in that investigation</p> <p>25 during that time?</p>

<p style="text-align: right;">126</p> <p>1 A No.</p> <p>2 Q What occurred after Chief Styron --</p> <p>3 Assistant Chief Styron approached you to discuss the</p> <p>4 fact that Cooper and Skripka wanted to discuss the</p> <p>5 Schenk shooting with you?</p> <p>6 A At some point that day, we went down to</p> <p>7 the conference room in detectives, and it was</p> <p>8 myself, Assistant Chief Styron, Detective Cooper,</p> <p>9 Sergeant Skripka. I think there were others there,</p> <p>10 but I don't know who the others were. I just seem</p> <p>11 to remember more people being in the room.</p> <p>12 Q Okay. So I was taking notes, but I didn't</p> <p>13 get all the names. So who are --</p> <p>14 A Cooper, Skripka.</p> <p>15 Q Uh-huh.</p> <p>16 A Styron.</p> <p>17 Q Uh-huh.</p> <p>18 A Myself.</p> <p>19 Q Uh-huh.</p> <p>20 A And I don't know who else. I -- I recall</p> <p>21 there being other people in there because it wasn't</p> <p>22 just the four of us, but I don't remember who else.</p> <p>23 Q Lieutenant Warnke, was he there?</p> <p>24 A Yes. He was the lieutenant over</p> <p>25 investigations, yes.</p>	<p style="text-align: right;">128</p> <p>1 then moved on to the next part.</p> <p>2 Q Understood. Okay.</p> <p>3 A So after the body cam -- or the -- excuse</p> <p>4 me, the dash cam from the car, then they went to the</p> <p>5 body cam. And at some point, I don't remember if it</p> <p>6 was before they played it, played it, stopped it,</p> <p>7 played it and then told me, at some point, they told</p> <p>8 me what their theory was on what they thought had</p> <p>9 taken place out there.</p> <p>10 Q Okay. And what was that theory?</p> <p>11 A That there was a physical struggle between</p> <p>12 Officer Saldivar and Schenk. During that struggle,</p> <p>13 Officer Saldivar's body camera came off. It was on</p> <p>14 the ground facing straight up. They -- you know, I</p> <p>15 -- I -- again, I don't remember the order of it, but</p> <p>16 they told me you could tell Rigo was winded, you</p> <p>17 know, that there -- he -- you know, clearly some</p> <p>18 exertion. Then somewhere in there, they discussed,</p> <p>19 you know, where the wounds were on the body.</p> <p>20 Q Uh-huh.</p> <p>21 A And then a theor--- they had a -- you</p> <p>22 know, what they believed happened. And then they</p> <p>23 explained it. I believe they even acted it out a</p> <p>24 little bit. And then we watched the video a bunch.</p> <p>25 I don't know how many times, but it was a bunch.</p>
<p style="text-align: right;">127</p> <p>1 Q Lieutenant Hamilton -- or Sergeant</p> <p>2 Hamilton, was he there?</p> <p>3 A I don't recall.</p> <p>4 Q Okay. So you were in the conference room</p> <p>5 with Cooper, Skripka, and the other individuals who</p> <p>6 were there.</p> <p>7 A Yes.</p> <p>8 Q What -- what happened at that time?</p> <p>9 A Somebody, I don't know if it was Cooper or</p> <p>10 Skripka or -- I think it was kind of both of them</p> <p>11 back and forth, giving a rundown what they knew or,</p> <p>12 you know, their theory on what had taken place based</p> <p>13 on what they had at that point.</p> <p>14 Q What do you recall what they said?</p> <p>15 A I mean, it was basically the same</p> <p>16 beginning. And by beginning, I mean the traffic</p> <p>17 stop. They played the video and saw Schenk running,</p> <p>18 watched the dash cam until he got out of sight.</p> <p>19 Q Let's pause for a second. Did they give</p> <p>20 you a rundown of what occurred before or after they</p> <p>21 played the video or did it -- did -- did they do it</p> <p>22 simultaneously?</p> <p>23 A They were doing it simultaneously is what</p> <p>24 my recollection was. They would tell me and then it</p> <p>25 was let's watch -- you know, watch the video, and</p>	<p style="text-align: right;">129</p> <p>1 Q Okay. We got to slow it down a little</p> <p>2 bit. You said they explained where the wounds were?</p> <p>3 A Yes.</p> <p>4 Q Okay. Where were the wounds?</p> <p>5 A I believe one was in the chest, kind of to</p> <p>6 Schenk's left of the midline, I believe.</p> <p>7 Q Okay.</p> <p>8 A In the front. And then there were two in</p> <p>9 the lower back, I believe, at an upward trajectory,</p> <p>10 if I recall correctly.</p> <p>11 Q So there were two shots in the back?</p> <p>12 A Yes.</p> <p>13 Q Okay. And you said the one on the side</p> <p>14 was in the -- was the front part of the --</p> <p>15 A That was my recollection, was it was front</p> <p>16 toward the side was...</p> <p>17 Q Okay. Do you recall whether or not there</p> <p>18 was an exit wound and an entrance wound in the area?</p> <p>19 A I don't recall.</p> <p>20 Q Okay. Do you remember tell--- them</p> <p>21 telling you where the entrance wound on the side</p> <p>22 was?</p> <p>23 A No.</p> <p>24 Q Okay. Do you recall whether they told you</p> <p>25 the two wounds in the back, were they entrance</p>

<p style="text-align: right;">130</p> <p>1 wounds or exit wounds?</p> <p>2 A They were entrance.</p> <p>3 Q Okay. They told you there were entrance</p> <p>4 wounds in Schenk's back. Correct?</p> <p>5 A Yes.</p> <p>6 Q Did that concern you?</p> <p>7 MR. GILES: Objection. Form.</p> <p>8 THE DEPONENT: In and of themselves, not</p> <p>9 necessarily, no. It could be -- there could be a</p> <p>10 lot of explanations for it, so...</p> <p>11 BY MR. DUBE:</p> <p>12 Q Okay. So what was their theory -- you</p> <p>13 said they explained their theory of what occurred to</p> <p>14 you. Correct?</p> <p>15 A Correct.</p> <p>16 Q What was -- what was that theory?</p> <p>17 A There was a physical altercation between</p> <p>18 Officer Saldivar and Schenk. And at some point,</p> <p>19 Schenk turned and was crawling away and Officer</p> <p>20 Saldivar shot the two rounds -- or the three rounds.</p> <p>21 Q So --</p> <p>22 A But initially, they -- because the</p> <p>23 question I had was the -- the wound to the front, at</p> <p>24 least my recollection during this conversation, was</p> <p>25 that it was -- they believed at that time at least</p>	<p style="text-align: right;">132</p> <p>1 MR. GILES: Objection. Form.</p> <p>2 THE DEPONENT: Yes.</p> <p>3 BY MR. DUBE:</p> <p>4 Q Did they tell you whether or not they</p> <p>5 believed the shooting was justified or unjustified?</p> <p>6 A I don't recall them using -- they -- it</p> <p>7 was more here's what happened. They weren't drawing</p> <p>8 a conclusion. It was here's what we think happened.</p> <p>9 And they didn't say this, but it was kind of</p> <p>10 presented and you draw your own conclusion, but</p> <p>11 here's what we think happened.</p> <p>12 Q Do you recall whether or not they informed</p> <p>13 you that the force used was excessive during that</p> <p>14 meeting?</p> <p>15 A I do not recall that.</p> <p>16 Q And you have a specific recollection of</p> <p>17 them telling you that Mr. Schenk was shot in the</p> <p>18 front first?</p> <p>19 A Yes, because their theory was he was</p> <p>20 turning when the first shot was fired. And then as</p> <p>21 he was crawling away, that the sub--- subsequent</p> <p>22 shots occurred. And so that was how it happened</p> <p>23 because he was turning and that's how he got hit on</p> <p>24 the side as he was turning, and then as he was</p> <p>25 crawling away, the two in the back.</p>
<p style="text-align: right;">131</p> <p>1 that it was toward -- the -- there was an entrance</p> <p>2 wound on the front or the side. And so the -- the</p> <p>3 theory was that the first round hit him on the -- on</p> <p>4 the side in the front and then he turned and was</p> <p>5 crawling away and he fired the other two rounds was</p> <p>6 the -- the theory that day.</p> <p>7 Q Do you recall that's what they told you</p> <p>8 that day?</p> <p>9 A That day, yes.</p> <p>10 Q Do you recall them telling you that</p> <p>11 officer -- I mean, that Mr. Schenk was his -- on his</p> <p>12 hands and knees at the time he was shot?</p> <p>13 MR. GILES: Objection. Form.</p> <p>14 TEH DEPONENT: I know they bel--- believed</p> <p>15 that for the two rounds in the back, at least.</p> <p>16 BY MR. DUBE:</p> <p>17 Q You said they play acted what occurred.</p> <p>18 Correct?</p> <p>19 A Yes.</p> <p>20 Q Okay. Did they play act Mr. Schenk being</p> <p>21 on his hands and knees at the time he was shot?</p> <p>22 A Yes.</p> <p>23 Q They demonstrated to you that Schenk was</p> <p>24 on his hands and knees at the time Officer Saldivar</p> <p>25 shot two other rounds?</p>	<p style="text-align: right;">133</p> <p>1 Q Did it make a difference to you whether or</p> <p>2 not the shots in the back occurred after he was shot</p> <p>3 in the front?</p> <p>4 A Did it make a difference? Make a</p> <p>5 difference how?</p> <p>6 Q In terms of the way you evaluated the --</p> <p>7 the case.</p> <p>8 A I think you got to go back to the totality</p> <p>9 of all of it. Again, wounds in the back, I mean,</p> <p>10 there could be reasonable, legitimate explanation</p> <p>11 for it. So at -- at this point, I wasn't -- I</p> <p>12 wasn't prepared to draw a conclusion. The</p> <p>13 investigation was still ongoing.</p> <p>14 Q What legitimate reasons could be -- there</p> <p>15 be for an officer to shoot a person in the back?</p> <p>16 A So if I make the decision -- if I identify</p> <p>17 you as a threat and I make the decision to shoot</p> <p>18 you, that message has to go from my brain to my hand</p> <p>19 to -- to fire. And if as I pull my gun and start to</p> <p>20 fire, you're turning, I can still be in the process</p> <p>21 of firing and it -- there's -- I mean, it happens</p> <p>22 quick, but there's a time from the time I tell my</p> <p>23 brain to stop 'til I stop pulling the trigger. So</p> <p>24 you can still be turning while I can still be</p> <p>25 shooting. So there -- there's -- I mean, it's...</p>

<p style="text-align: right;">134</p> <p>1 Q So I guess I'll better try to say what I</p> <p>2 think you said. There could be a reasonable</p> <p>3 explanation as to how a suspect was -- was shot in</p> <p>4 the back. Correct?</p> <p>5 A Correct.</p> <p>6 Q But is it also -- would it also be</p> <p>7 reasonable for an officer to -- to intentionally</p> <p>8 shoot someone in the back?</p> <p>9 MR. GILES: Objection. Form.</p> <p>10 THE DEPONENT: I -- it depends on the</p> <p>11 circumstances. If you're running away and have a</p> <p>12 gun, you know, over the shoulder pointed at me and I</p> <p>13 shoot you in the back, that's -- you know, that's --</p> <p>14 that's a scenario. I mean, there's -- that's not</p> <p>15 the only one, but that's a scenario. So I don't --</p> <p>16 you know.</p> <p>17 BY MR. DUBE:</p> <p>18 Q Would that be a legitimate reason for an</p> <p>19 officer to shoot an individual who is on his hands</p> <p>20 and knees crawling away from him?</p> <p>21 A Depends on the circumstances, I guess.</p> <p>22 Q What circumstances would it be justified</p> <p>23 for an officer to shoot individ--- an individual on</p> <p>24 his hands and knees crawling away from him?</p> <p>25 MR. GILES: Objection. Form.</p>	<p style="text-align: right;">136</p> <p>1 Schenk scenario, based on at least the evidence. I</p> <p>2 don't have any -- there's no evidence -- there's</p> <p>3 theories, but there is no evidence to support a</p> <p>4 theory other than Officer Saldivar's.</p> <p>5 Q Uh-huh. So you think if there was a --</p> <p>6 you agree that there's no evidence that Mr. Schenk</p> <p>7 was armed. Correct?</p> <p>8 A Correct.</p> <p>9 Q And -- and you think that if Officer</p> <p>10 Saldivar shot Mr. Schenk in the back while he was</p> <p>11 crawling away from him, that would have been</p> <p>12 justified?</p> <p>13 MR. GILES: Objection. Form.</p> <p>14 THE DEPONENT: That's not what happened</p> <p>15 here, though.</p> <p>16 BY MR. DUBE:</p> <p>17 Q I -- I -- I -- we'll get to what happened</p> <p>18 because we have videos and everything else as to</p> <p>19 what happened.</p> <p>20 A Well, I know. But you're saying that</p> <p>21 Schenk --</p> <p>22 Q No, I --</p> <p>23 A -- crawling away, shot in the back, could</p> <p>24 it ever be --</p> <p>25 Q So -- okay, so let's -- let's -- let's</p>
<p style="text-align: right;">135</p> <p>1 THE DEPONENT: It -- it -- I mean, if you</p> <p>2 had a gun and you're crawling away, you still could</p> <p>3 -- still could shoot. That -- that would be one.</p> <p>4 The scenario I gave you of, you know, as I begin</p> <p>5 shooting you, at the same time, you see the gun, you</p> <p>6 know, and -- and -- you know, a lot of people -- I'm</p> <p>7 not going to say everybody, but a lot of people, if</p> <p>8 you shoot a gun at them, their first response, you</p> <p>9 know, is -- is to turn.</p> <p>10 And so if, you know, I begin to shoot and</p> <p>11 you're turning and going away, I could still be</p> <p>12 shooting. And so that doesn't necessarily -- you</p> <p>13 know, if that first round -- you know, the first</p> <p>14 shot was -- you know, was justified, the subsequent</p> <p>15 ones potentially could. I mean, the window doesn't</p> <p>16 stay open forever, but there could be a time period</p> <p>17 after that, again.</p> <p>18 BY MR. DUBE:</p> <p>19 Q I believe you said there could be</p> <p>20 circumstance where it's reasonable for officers to</p> <p>21 shoot somebody in the back if they had a weapon.</p> <p>22 Are there any scenarios in which it would be</p> <p>23 reasonable for an officer to shoot an individual in</p> <p>24 the back crawling away when they were unarmed?</p> <p>25 A I think this scenario right here, in the</p>	<p style="text-align: right;">137</p> <p>1 come at it this way. Detective Cooper and Officer -</p> <p>2 - and Sergeant Skripka, right, informed you it was</p> <p>3 their belief that Mr. Schenk was on his hands and</p> <p>4 knees and crawling away when Officer Saldivar shot</p> <p>5 and fired two rounds in his back.</p> <p>6 A But we're leaving out the first round.</p> <p>7 Q Well, we'll get -- we'll get there, trust</p> <p>8 me.</p> <p>9 A I know, but we've got to tell the stor---</p> <p>10 I mean, I can't --</p> <p>11 Q Okay.</p> <p>12 A You're asking me to draw a conclusion,</p> <p>13 leaving out a key important piece of it, which is</p> <p>14 the first round.</p> <p>15 Q Okay.</p> <p>16 A And I can't ignore that and just address</p> <p>17 these. That's not what happened here.</p> <p>18 Q Okay. So if I were to tell you that</p> <p>19 Detective Cooper was deposed --</p> <p>20 A Yes.</p> <p>21 Q -- and he stated that he never told you</p> <p>22 that the first round came while Mr. Schenk was</p> <p>23 standing up, would you have reason to disagree with</p> <p>24 that?</p> <p>25 A Yes.</p>

<p style="text-align: right;">138</p> <p>1 MR. GILES: Objection. Form.</p> <p>2 BY MR. DUBE:</p> <p>3 Q And if he stated that there were five</p> <p>4 rounds there, based on the number of shell casings</p> <p>5 that were found, would you have any reason to</p> <p>6 disagree with that?</p> <p>7 A I -- I don't recall how many there were.</p> <p>8 I don't disagree with it, but I don't -- I don't</p> <p>9 recall.</p> <p>10 Q Okay. And if he testified that --</p> <p>11 actually even demonstrated the five puffs of smokes</p> <p>12 exiting Officer Saldivar's gun at the time of</p> <p>13 shooting and Mr. Schenk was on the ground, would you</p> <p>14 have any reason to disagree with that?</p> <p>15 MR. GILES: Objection. Form.</p> <p>16 THE DEPONENT: Do I have a reason to</p> <p>17 disagree? I -- I don't know where Mr. Schenk was.</p> <p>18 They profess that the video shows where Mr. Schenk</p> <p>19 is. I've watched that video countless times and I -</p> <p>20 - I don't agree with -- I don't agree that the video</p> <p>21 demonstrates that.</p> <p>22 BY MR. DUBE:</p> <p>23 Q Okay. So I guess that's -- let's pause</p> <p>24 there for a second. What did you see in the video?</p> <p>25 A It's been awhile since I've seen it, but</p>	<p style="text-align: right;">140</p> <p>1 frame?</p> <p>2 A I don't recall. It's not to say they</p> <p>3 didn't. I -- I don't recall. I just remember</p> <p>4 watching it a bunch and I know it was stopped at</p> <p>5 several times during the...</p> <p>6 Q Did you have access to the video yourself?</p> <p>7 A Yes.</p> <p>8 Q Okay. Did you ever watch it?</p> <p>9 A Yes.</p> <p>10 Q Did you ever pause it?</p> <p>11 A Yes.</p> <p>12 Q Did you ever go frame by frame?</p> <p>13 A Yes.</p> <p>14 Q Okay. In all the times you saw it, is it</p> <p>15 your testimony that even going frame by frame, you</p> <p>16 could not tell that Mr. Schenk was on his hands and</p> <p>17 knees during the video?</p> <p>18 A I never saw that on the video.</p> <p>19 Q What screen were you guys watching it on</p> <p>20 that day?</p> <p>21 A I don't remember if it was a T.V. or a</p> <p>22 drop-down screen from the ceiling through a</p> <p>23 projector 'cause there's both in that room. But I -</p> <p>24 - I don't remember.</p> <p>25 Q And were Sergeant Skripka and Detective</p>
<p style="text-align: right;">139</p> <p>1 there was the physical struggle. I remember more</p> <p>2 than anything hearing the physical struggle because</p> <p>3 the body camera goes down pretty quick. And you</p> <p>4 continue to hear it. And at some point -- I know</p> <p>5 you hear the -- the gunshots. But after that, it's -</p> <p>6 - it's various shades of a black screen. That --</p> <p>7 that's what I recall seeing on it. I -- I -- I -- I</p> <p>8 do --</p> <p>9 Q Do you --</p> <p>10 A -- remember the -- the puffs of smoke.</p> <p>11 Q Uh-huh.</p> <p>12 A But I don't remember -- I -- well, not</p> <p>13 that I don't remember. I never saw Schenk on the</p> <p>14 ground, crawling away or anything else that</p> <p>15 Detective Cooper and Sergeant Skripka believe is on</p> <p>16 the screen.</p> <p>17 Q So let's just set the scene. So they are</p> <p>18 showing you the videos. Correct?</p> <p>19 A Correct.</p> <p>20 Q Did they slow it down for you?</p> <p>21 A I don't remember if they slowed it down or</p> <p>22 we just watched it a bunch. I don't remember.</p> <p>23 Q All right.</p> <p>24 A I be--- I believe they paused it.</p> <p>25 Q Okay. Do you recall if they went frame by</p>	<p style="text-align: right;">141</p> <p>1 Cooper narrating what they saw as you watched the</p> <p>2 video?</p> <p>3 A Yes.</p> <p>4 Q Okay. Was there ever a point in when they</p> <p>5 stopped the video and says here is Schenk on his</p> <p>6 hands and knees?</p> <p>7 A Yes.</p> <p>8 Q Okay. And it's your testimony that -- so</p> <p>9 how did they do that? Did they point out a -- a --</p> <p>10 a shading or a figure or anything?</p> <p>11 A I'm honestly not sure what they pointed</p> <p>12 out. They pointed to a section of the screen and</p> <p>13 said, here it is, and myself and Lieutenant Styron</p> <p>14 both --</p> <p>15 Q Chief Styron.</p> <p>16 A Yeah, Chief Styron -- did not come to the</p> <p>17 same conclusion.</p> <p>18 Q Assistant Chief Styron.</p> <p>19 A Assistant Chief Styron did not come to</p> <p>20 same conclusion.</p> <p>21 Q So they paused the video. They said, hey,</p> <p>22 this is where Schenk is on his hands and knees.</p> <p>23 A Correct.</p> <p>24 Q And you did not see what they saw.</p> <p>25 A Correct.</p>

<p style="text-align: right;">142</p> <p>1 Q Did you say anything to that effect?</p> <p>2 A That -- yes, I said, I don't see what</p> <p>3 you're seeing. Yes.</p> <p>4 Q Okay. Did you ask for any further</p> <p>5 explanation from them?</p> <p>6 A No, because we were -- not at an impasse,</p> <p>7 but they were convinced they saw it. Chief Sti---</p> <p>8 Assistant Chief Styron and I didn't see what they</p> <p>9 were seeing. And it was y'all keep investigating</p> <p>10 and that was -- yeah, we'll go from there.</p> <p>11 Q And then, again, you testified that they</p> <p>12 were on their hands and knees to demonstrate to you</p> <p>13 what -- what they believe occurred in the video?</p> <p>14 A Yes.</p> <p>15 Q Okay. Did they mention to you there was</p> <p>16 any discrepancies between what Officer Saldivar</p> <p>17 stated and what they were observing in -- in the</p> <p>18 video?</p> <p>19 A I don't recall. I don't recall either</p> <p>20 way. So I'm not sure.</p> <p>21 Q So you state -- you told them you did not</p> <p>22 see what they saw. Correct?</p> <p>23 A Correct.</p> <p>24 Q What happened after that?</p> <p>25 A Some point, I went and watched the video</p>	<p style="text-align: right;">144</p> <p>1 MR. DUBE: Okay. I think it's a good --</p> <p>2 that's a good time to break for lunch.</p> <p>3 VIDEO TECHNICIAN: All right. The time is</p> <p>4 12:23 and we're off the record.</p> <p>5 (Whereupon, a break was taken from the</p> <p>6 proceedings.)</p> <p>7 VIDEO TECHNICIAN: The time it now 1:13</p> <p>8 and we're back on the record.</p> <p>9 BY MR. DUBE:</p> <p>10 Q Good afternoon, sir. How are you?</p> <p>11 A Good.</p> <p>12 Q Good lunch break?</p> <p>13 A It was quick. Good.</p> <p>14 Q I apologize for that. We're trying --</p> <p>15 A No, I'm good now.</p> <p>16 Q We're both trying to catch a flight. Any</p> <p>17 reason that you can't tell -- give truthful</p> <p>18 testimony this afternoon like you did this -- this</p> <p>19 morning?</p> <p>20 A No.</p> <p>21 Q Okay. Are you ready proceed?</p> <p>22 A Yes.</p> <p>23 Q Okay. Do you recall being deposed in the</p> <p>24 Schenk case?</p> <p>25 A Yes.</p>
<p style="text-align: right;">143</p> <p>1 in my office, both on the computer and the T.V.</p> <p>2 there. Turned the lights out. I slowed it down</p> <p>3 frame by frame. Everything that -- you know, try to</p> <p>4 see what they were saying they saw.</p> <p>5 Q And the video is dark. Correct?</p> <p>6 A Yes.</p> <p>7 Q Okay. Did you attempt to have the video</p> <p>8 enhanced?</p> <p>9 A No.</p> <p>10 Q Okay. Was there any reason -- anything</p> <p>11 preventing you from doing that?</p> <p>12 A No.</p> <p>13 Q Did you have the resources to do that?</p> <p>14 A We don't have resources internally to do</p> <p>15 that.</p> <p>16 Q Okay. Was there anything stopping you</p> <p>17 from hiring a -- a -- you know, a reconstructionist</p> <p>18 expert or a video enhance--- a video enhancer?</p> <p>19 A We could have hired somebody, yes.</p> <p>20 Q Was it concerning to you that Detective</p> <p>21 Cooper and Sergeant Skripka believe that Officer</p> <p>22 Saldivar had shot Mr. Schenk while he was on his</p> <p>23 hands and knees?</p> <p>24 A Concerned? No.</p> <p>25 Q Okay.</p>	<p style="text-align: right;">145</p> <p>1 Q And if I told you that deposition occurred</p> <p>2 on July 15th, 2021, would you have any reason to</p> <p>3 object to that?</p> <p>4 A No.</p> <p>5 Q Okay. Does that score with your memory</p> <p>6 that's when it occurred?</p> <p>7 A I -- I don't know when it occurred. I know</p> <p>8 it was a couple of years ago, but yes.</p> <p>9 Q And do you recall at that time being asked</p> <p>10 the position Nathan and -- was in when Officer</p> <p>11 Saldivar first fired his shots?</p> <p>12 A I don't recall. No.</p> <p>13 Q Okay. But it's your testimony now that</p> <p>14 Detective Cooper and Sergeant Skripka told you that</p> <p>15 Mr. Schenk was standing at the time the shots were</p> <p>16 first fired?</p> <p>17 A I don't remember where they said he was</p> <p>18 when he -- they first fired. I just know that at</p> <p>19 some point, they said he was crawling away when</p> <p>20 shots were fired. But I don't...</p> <p>21 Q Okay.</p> <p>22 MR. DUBE: Can you please pull up exhibit</p> <p>23 34, please, at page 44?</p> <p>24 EXHIBIT TECHNICIAN: Absolutely. Just one</p> <p>25 moment, please. And which page would you like, sir,</p>

<p style="text-align: right;">146</p> <p>1 again?</p> <p>2 MR. DUBE: Forty-four.</p> <p>3 EXHIBIT TECHNICIAN: Okay.</p> <p>4 MR. DUBE: Okay. Can you give me video</p> <p>5 control, please. Or could you highlight for me</p> <p>6 lines 16 through 24?</p> <p>7 EXHIBIT TECHNICIAN: Sorry, sir, it's not</p> <p>8 allowing me to highlight right now. I apologize.</p> <p>9 MR. DUBE: No worries. Okay. That's okay.</p> <p>10 All right. I move exhibit 34 into evidence. Any</p> <p>11 objection? You're on mute, Norman.</p> <p>12 MR. GILES: I -- I -- I -- I don't object</p> <p>13 to you using it in the deposition. I -- I don't</p> <p>14 agree to its admission into evidence.</p> <p>15 MR. SELBE: Yeah. And I -- the same</p> <p>16 thing, I don't -- I don't agree with it being into</p> <p>17 evidence anywhere other than in the deposition, but</p> <p>18 that doesn't even -- that doesn't even -- it's not</p> <p>19 inconsistent with the witness' testimony anyway.</p> <p>20 MR. DUBE: Thank you for the speaking</p> <p>21 objection. I just asked if you have any objections.</p> <p>22 MR. SELBE: Oh, no, I'm -- I'm giving you</p> <p>23 a response to the question you asked me. I'm</p> <p>24 telling you what the evidentiary basis is for my</p> <p>25 response. It's not a speaking objection.</p>	<p style="text-align: right;">148</p> <p>1 A Okay. And did they point out on the video</p> <p>2 recording when -- what they saw that caused them to</p> <p>3 have that perception when viewing the video</p> <p>4 recording? Yes.</p> <p>5 Q All right. And you would agree with me</p> <p>6 that your memory in July 2021 as to that meeting is</p> <p>7 fresher back at that time than it is currently?</p> <p>8 A It was closer to the time of the event.</p> <p>9 Q So I guess if I asked you -- did Detective</p> <p>10 Cooper and Sergeant Skripka tell you that Nathan was</p> <p>11 on his hands and knees at the time the shots first</p> <p>12 began during that meeting?</p> <p>13 A After reviewing this, yes.</p> <p>14 Q Did they tell you that Nathan was standing</p> <p>15 up when the first shots began?</p> <p>16 MR. GILES: Objection. Form.</p> <p>17 THE DEPONENT: I don't recall because I</p> <p>18 know there was a -- re--- Officer Saldivar's -- you</p> <p>19 know, at some point, he was facing him, but I don't</p> <p>20 -- I don't recall the --</p> <p>21 BY MR. DUBE:</p> <p>22 Q I'm asking you --</p> <p>23 A -- breakdown of --</p> <p>24 Q I'm asking you what Detective Cooper and</p> <p>25 Sergeant Skripka told you. Same question I asked</p>
<p style="text-align: right;">147</p> <p>1 MR. DUBE: Okay. Thank you.</p> <p>2 MR. SELBE: Sure.</p> <p>3 (Plaintiff's exhibit 34 referenced for</p> <p>4 identification.)</p> <p>5 BY MR. DUBE:</p> <p>6 Q Could you read lines 16 through 24,</p> <p>7 please.</p> <p>8 A Okay. And did either Detective Cooper or</p> <p>9 Sergeant Skripka say at that meeting that it</p> <p>10 appeared to them that Nathan was on his hands and</p> <p>11 knees at the time the shots began? The answer, they</p> <p>12 thought that to be the case, yes.</p> <p>13 Q And that's -- and that's your answer.</p> <p>14 Correct?</p> <p>15 MR. GILES: Objection. Form.</p> <p>16 THE DEPONENT: Yes.</p> <p>17 BY MR. DUBE:</p> <p>18 Q Okay. That -- answer the question, did</p> <p>19 either Detective Cooper or Sergeant Skripka say in</p> <p>20 the meeting that it appeared to them that Nathan was</p> <p>21 on his hands and knees at the time the shots began.</p> <p>22 And your answer to that was yes. Correct?</p> <p>23 A Yes.</p> <p>24 Q Okay. Can you read the next four lines</p> <p>25 through 24?</p>	<p style="text-align: right;">149</p> <p>1 before.</p> <p>2 MR. GILES: Objection. Form.</p> <p>3 BY MR. DUBE:</p> <p>4 Q Did they tell you at that meeting that</p> <p>5 Nathan was standing up at the time that the shots</p> <p>6 first began?</p> <p>7 MR. GILES: Objection. Form.</p> <p>8 THE DEPONENT: I don't know at what point</p> <p>9 -- I don't know the answer to that.</p> <p>10 MR. DUBE: All right. We can take the</p> <p>11 exhibit off the screen, sir, Vincent.</p> <p>12 BY MR. DUBE:</p> <p>13 Q And you testified, sir, that you had the</p> <p>14 capability to -- well, let me ask you, what about</p> <p>15 the video made it hard for you to perceive what</p> <p>16 occurred?</p> <p>17 A It was dark.</p> <p>18 Q And anything else?</p> <p>19 A I mean, it was dark and grainy. That --</p> <p>20 Q Okay.</p> <p>21 A That pretty much sums it up.</p> <p>22 Q Okay. And you testified that you had the</p> <p>23 capability to ask for it to be enhanced in -- in</p> <p>24 some way, shape or form?</p> <p>25 A Yes, but in the past when we've done it,</p>

<p style="text-align: right;">150</p> <p>1 it's never been of any value, so...</p> <p>2 Q Uh-huh. And but did you -- did your --</p> <p>3 did you have a -- you had investigators. Correct?</p> <p>4 A Yes.</p> <p>5 Q Okay. Do you know if they had ever</p> <p>6 enhanced video in -- you know, in past crimes or --</p> <p>7 or shootings or anything of that sort?</p> <p>8 A I know they've made attempts and you get</p> <p>9 back a more pixilated image of what it was before.</p> <p>10 It's not been beneficial.</p> <p>11 Q So it's your testimony that it's never</p> <p>12 been beneficial, to your knowledge, to enhance the</p> <p>13 video?</p> <p>14 A My experience? No.</p> <p>15 Q Did you speak to any -- is there a</p> <p>16 particular unit that handles those enhancements and</p> <p>17 -- and rec--- reenactments and recreations?</p> <p>18 A Enhancements, recreations?</p> <p>19 Q Yes, of videos. Enhan--- so let me ask</p> <p>20 the question simpler. Is there a particular unit</p> <p>21 within the police department that handles</p> <p>22 enhancements of video?</p> <p>23 A No. We'd have to go to an outside agency.</p> <p>24 Q Gotcha. Has that been done by your police</p> <p>25 department in the past?</p>	<p style="text-align: right;">152</p> <p>1 back a little bit to the position I wanted to pause</p> <p>2 at.</p> <p>3 (Whereupon, a video was played.)</p> <p>4 BY MR. DUBE:</p> <p>5 Q This is Officer Saldivar effectuating the</p> <p>6 traffic stop, correct?</p> <p>7 A Yes.</p> <p>8 Q Okay. And as we see, shortly after, Mr.</p> <p>9 Schenk begins running.</p> <p>10 A Correct.</p> <p>11 Q Okay. And are you able to observe all of</p> <p>12 that in the video, correct?</p> <p>13 A Yes.</p> <p>14 Q Okay. And Mis--- and Officer Saldivar</p> <p>15 cha--- eventually chases him down. Correct?</p> <p>16 A Yes.</p> <p>17 Q Okay. And I think right when I tried to</p> <p>18 pause it, he was being tased correct? Mr. Schenk was</p> <p>19 being tased by Officer Saldivar?</p> <p>20 A He attempted to tase him, yes.</p> <p>21 Q Okay.</p> <p>22 (Whereupon, a video was played.)</p> <p>23 Q And this is Mr. Schenk running away?</p> <p>24 A Yes.</p> <p>25 (Whereupon, a video was played.)</p>
<p style="text-align: right;">151</p> <p>1 A Gone to an outside agency?</p> <p>2 Q Yes.</p> <p>3 A Yes.</p> <p>4 Q And it's your testimony that upon viewing</p> <p>5 the video and upon viewing what Skripka and Cooper</p> <p>6 told you, you could not discern what was occurring</p> <p>7 on the screen?</p> <p>8 A That's correct.</p> <p>9 MR. DUBE: Can you please play exhibit 17,</p> <p>10 please.</p> <p>11 EXHIBIT TECHNICIAN: Absolutely. Just one</p> <p>12 moment, please.</p> <p>13 BY MR. DUBE:</p> <p>14 Q Just in the interest of saving time, I'm</p> <p>15 going to skip ahead to about three minutes when --</p> <p>16 A Okay.</p> <p>17 Q Is that okay?</p> <p>18 A Yes.</p> <p>19 MR. DUBE: Can I get -- perfect. You can</p> <p>20 skip ahead to five minutes. Okay. Perfect.</p> <p>21 (Whereupon, a video was played.)</p> <p>22 MR. DUBE: Can you pause, please? Can you</p> <p>23 pause, please? Vincent. Can he hear me? Vincent,</p> <p>24 can you pause, please? And can you give me, I</p> <p>25 guess, control? Thank you. Okay. I'm going to go</p>	<p style="text-align: right;">153</p> <p>1 Q And this is the moment that he's tasing --</p> <p>2 or trying to tase him. Correct?</p> <p>3 A Yes.</p> <p>4 (Whereupon, a video was played.)</p> <p>5 BY MR. DUBE:</p> <p>6 Q The first attempt to tase did not work?</p> <p>7 A Correct.</p> <p>8 Q And he still kept running?</p> <p>9 A Correct.</p> <p>10 (Whereupon, a video was played.)</p> <p>11 BY MR. DUBE:</p> <p>12 Q And at that moment at 5:58 in the video,</p> <p>13 he is attempting to tase him again. Correct?</p> <p>14 A Correct.</p> <p>15 (Whereupon, a video was played.)</p> <p>16 BY MR. DUBE:</p> <p>17 Q And what can you tell -- what happens at</p> <p>18 that moment?</p> <p>19 A It appears that Schenk is on his back and</p> <p>20 Officer Saldivar is over him.</p> <p>21 Q Okay. So I'm just going to play it now</p> <p>22 through the shooting.</p> <p>23 A Okay.</p> <p>24 Q And then I'm going to ask you what you see</p> <p>25 after I pause it. Okay?</p>

<p style="text-align: right;">154</p> <p>1 A Okay.</p> <p>2 Q And then I will go back and replay it</p> <p>3 again.</p> <p>4 A Okay.</p> <p>5 Q Okay.</p> <p>6 (Whereupon, a video was played.)</p> <p>7 BY MR. DUBE:</p> <p>8 Q What are we observing? What did you just</p> <p>9 observe up -- up -- up to this moment?</p> <p>10 A I'm not sure. Black screen. You can hear</p> <p>11 -- you can hear exertion. Sounds like a struggle is</p> <p>12 what it sounds like. That's all I can tell you.</p> <p>13 Q Okay. And at this point that we've paused</p> <p>14 it, what can you observe?</p> <p>15 A It looks like Officer Saldivar on the --</p> <p>16 my right side of the screen, the upper right corner.</p> <p>17 Q Okay. And do you see Mr. Schenk at any</p> <p>18 point?</p> <p>19 A Right now?</p> <p>20 Q Yes.</p> <p>21 A No.</p> <p>22 Q Okay. Do you have an opinion as to where</p> <p>23 he is in this video based on where Officer Saldivar</p> <p>24 is?</p> <p>25 A Maybe on the ground in front of him.</p>	<p style="text-align: right;">156</p> <p>1 it one more time.</p> <p>2 (Whereupon, a video was played.)</p> <p>3 BY MR. DUBE:</p> <p>4 Q Okay. Do you see anything just now?</p> <p>5 A I saw the screen discoloration change over</p> <p>6 on the left side.</p> <p>7 Q Okay. Did you see a puff of smoke?</p> <p>8 A I didn't.</p> <p>9 Q Okay. I'm going to play it again. Tell me</p> <p>10 if you see it this time. Tell me if you see any</p> <p>11 puffs of smokes or any sparks at the time that this</p> <p>12 is being shown.</p> <p>13 (Whereupon, a video was played.)</p> <p>14 THE DEPONENT: There's one.</p> <p>15 BY MR. DUBE:</p> <p>16 Q You saw it?</p> <p>17 A Yeah.</p> <p>18 Q What -- what did you see?</p> <p>19 A Looked like a puff of smoke and like a</p> <p>20 spark like consistent with gun fire.</p> <p>21 Q Consistent with gun fire?</p> <p>22 A Yeah.</p> <p>23 Q And did you see what was the person who</p> <p>24 was shooting was shooting at?</p> <p>25 MR. GILES: Objection. Form.</p>
<p style="text-align: right;">155</p> <p>1 Q What -- what are you basing that opinion</p> <p>2 on?</p> <p>3 A Officer Saldivar's position.</p> <p>4 Q I'm going to play again.</p> <p>5 A Okay.</p> <p>6 (Whereupon, a video was played.)</p> <p>7 BY MR. DUBE:</p> <p>8 Q And if there's any point you want me to</p> <p>9 stop, if you maybe see and there's something you</p> <p>10 observe, please let me know as well.</p> <p>11 A Okay.</p> <p>12 (Whereupon, a video was played.)</p> <p>13 THE DEPONENT: There's a car that drove</p> <p>14 by.</p> <p>15 BY MR. DUBE:</p> <p>16 Q Did you see anything prior to the car</p> <p>17 driving by?</p> <p>18 A Looked like a shadow on the lower left</p> <p>19 corner, but --</p> <p>20 Q So you saw a shadow on the lower left</p> <p>21 corner?</p> <p>22 A Well, shadow might be misleading. Kind of</p> <p>23 the -- the color changes of the screen. I -- I don't</p> <p>24 know what it is, but...</p> <p>25 Q I'm going to go back to 6:45 again, play</p>	<p style="text-align: right;">157</p> <p>1 THE DEPONENT: No.</p> <p>2 BY MR. DUBE:</p> <p>3 Q Okay. All right. I'm going to play it</p> <p>4 again and you can -- and tell me -- and actually,</p> <p>5 I'll play it a little bit further. Who is that</p> <p>6 coming back on screen as -- as we -- see this?</p> <p>7 A That looks like Officer Saldivar.</p> <p>8 Q Yeah. And you -- and what -- okay. I'm</p> <p>9 going to play it and you tell me what you see him</p> <p>10 doing.</p> <p>11 (Whereupon, a video was played.)</p> <p>12 BY MR. DUBE:</p> <p>13 Q What do you -- what do you think he did --</p> <p>14 just did right there?</p> <p>15 A I'm not sure.</p> <p>16 MR. GILES: Objection.</p> <p>17 BY MR. DUBE:</p> <p>18 Q Okay. I'll play -- I'll go back to 6:45,</p> <p>19 and this time, please watch to see whether or not</p> <p>20 you can see what it is that the person who is</p> <p>21 shooting is shooting at. Okay?</p> <p>22 (Whereupon, a video was played.)</p> <p>23 MR. GILES: Objection. Form.</p> <p>24 MR. DUBE: What's the basis of that</p> <p>25 objection? Norman?</p>

<p style="text-align: right;">158</p> <p>1 MR. GILES: I said Objection. Form. 2 MR. DUBE: On what basis? 3 MR. GILES: You're asking what the guy's 4 shooting at. He'd have to speculate for that. 5 MR. DUBE: Okay. 6 MR. GILES: He doesn't know what the guy's 7 shooting at. 8 (Whereupon, a video was played.) 9 BY MR. DUBE: 10 Q Are you able to tell from that view what 11 Officer Saldivar is shooting at? 12 A No, I can't see anything. 13 Q Okay. All right. Now, what position is 14 the camera at this point? Can you tell? 15 A It appears to be on the ground at an 16 angle. 17 Q Uh-huh. And does that make it difficult 18 for you to discern what's going on? 19 A The fact that it's dark is what makes it 20 difficult to discern what's going on. 21 Q Understood. All right. I'll go back to 22 6:45 again. That's a good marker. And I'll -- this 23 time, I'll play it -- oh, and you stated that when 24 Officer Skrick--- Sergeant Skripka and Detective 25 Cooper played the video, they played it multiple</p>	<p style="text-align: right;">160</p> <p>1 (Whereupon, a video was played.) 2 BY MR. DUBE: 3 Q What, if anything, have you seen so far? 4 A Nothing, really. 5 Q Okay. Well, see did Officer Saldivar. 6 A I saw Officer Saldivar on the right side 7 of it and then it -- somebody moved it, bumped it, 8 something because it looks like it shifted the 9 position. But... 10 Q Okay. All right. Please pay attention to 11 the left side of the screen, okay, as we play it 12 this time. 13 (Whereupon, a video was played.) 14 BY MR. DUBE: 15 Q What did you see -- observe? 16 A The colors change over there on that side, 17 but that's all I can tell you. 18 (Whereupon, a video was played.) 19 BY MR. DUBE: 20 Q Okay. What, if anything, did you observe? 21 A Again, the colors shift and there's a car 22 driving by. 23 Q Did you see a puff of smoke? 24 A Over in the lower left corner? That's 25 where I was paying attention. That's where you told</p>
<p style="text-align: right;">159</p> <p>1 time for you. Correct? 2 A Yes. 3 Q Okay. And they slowed it down at well? 4 A Yes -- I don't know about slow down. I 5 remember them pausing it. 6 Q Okay. 7 A But I can't tell you definitively whether 8 they did or they didn't slow it down. 9 Q And you watched it at your desk. Correct? 10 A Yes. 11 Q And you testified you -- you -- you slowed 12 it down. Correct? 13 A Yes. 14 Q Okay. And did you attempt to play it 15 frame by frame? 16 A Yes. 17 Q So you had the capability to do all of 18 those things. Correct? 19 A Yes. 20 Q This time, I'll slow it down for you. 21 (Whereupon, a video was played.) 22 BY MR. DUBE: 23 Q And you had a copy of the video yourself, 24 personally. Correct? 25 A I did at the time. Yes.</p>	<p style="text-align: right;">161</p> <p>1 me to watch. 2 Q Okay. All right. We'll play it again. 3 And so I'm not telling you to look at any particular 4 area. Just look at it and tell me what you see. 5 (Whereupon, a video was played.) 6 THE DEPONENT: Something on the top right, 7 but I... 8 (Whereupon, a video was played.) 9 THE DEPONENT: There's smoke around the 10 light. 11 BY MR. DUBE: 12 Q Okay. Do you see anything consistent with 13 gun fire? 14 A That and the muzzle flash. 15 Q You saw a muzzle flash? 16 A Uh-huh. 17 Q Okay. What position is the muzzle facing? 18 A I can't really tell. I mean, it -- 19 Q Is it being pointed upwards? Is it being 20 shooting down or is it shooting up? 21 A It's hard to see. I -- I... 22 Q All right. We'll play it again. And this 23 time, I'm going to move -- I'm going to do it at 7 24 minutes because I think that's really where the... 25 (Whereupon, a video was played.)</p>

<p style="text-align: right;">162</p> <p>1 BY MR. DUBE:</p> <p>2 Q I direct you to pay attention to see what</p> <p>3 direction the shots are being fired at. And also</p> <p>4 tell me if you see anything consistent with a person</p> <p>5 on their hands and knees. On the ground, I should</p> <p>6 say.</p> <p>7 (Whereupon, a video was played.)</p> <p>8 BY MR. DUBE:</p> <p>9 Q To the left, like did you see anything</p> <p>10 consistent with somebody falling onto the screen and</p> <p>11 -- yes or no?</p> <p>12 A No.</p> <p>13 Q Okay. Did you see anything consistent</p> <p>14 with -- with a muzzle flash?</p> <p>15 A Yes.</p> <p>16 Q Okay. What position was the muzzle facing</p> <p>17 and where was the shot being shot at?</p> <p>18 A I'm not completely certain because of the</p> <p>19 -- the poor lighting in the video.</p> <p>20 Q Uh-huh.</p> <p>21 A I just saw it at the top at the center of</p> <p>22 the screen.</p> <p>23 Q Uh-huh.</p> <p>24 A I -- I'm not sure where it's going. I</p> <p>25 don't know.</p>	<p style="text-align: right;">164</p> <p>1 A It's no different than the rest of the</p> <p>2 left side of the screen.</p> <p>3 Q Fair enough. That -- did you see that --</p> <p>4 what -- move?</p> <p>5 A I saw a coloration change.</p> <p>6 Q Okay. Do you see it moving?</p> <p>7 A When you say it, I --</p> <p>8 Q The -- right here. This. This --</p> <p>9 A Right. But when you're saying it, what am</p> <p>10 I -- I can't tell you that's a person, so that --</p> <p>11 Q Okay. I'm not -- I'm not --</p> <p>12 A If you're saying it --</p> <p>13 Q I'm not saying it's a person yet. I --</p> <p>14 when you -- if you --</p> <p>15 A But you said do you see it.</p> <p>16 Q Yes. Do you see this blob right here</p> <p>17 moving?</p> <p>18 A I see the colors changing.</p> <p>19 Q Okay. All right. We'll keep going frame</p> <p>20 by frame.</p> <p>21 (Whereupon, a video was played.)</p> <p>22 BY MR. DUBE:</p> <p>23 Q Does that appear consistent with a person</p> <p>24 falling down to you?</p> <p>25 A I have no idea what it is.</p>
<p style="text-align: right;">163</p> <p>1 Q Okay. This time I'm going to do it frame</p> <p>2 by frame for you. Okay?</p> <p>3 A Okay.</p> <p>4 Q Let's see if that helps. Okay. I'll try</p> <p>5 to get it to seven minutes so we don't -- okay.</p> <p>6 Perfect. All right. Actually, let me go up a</p> <p>7 little bit more. Oh, too far. And what -- what I</p> <p>8 want you to pay attention to is if you see anything</p> <p>9 consistent with somebody coming into the frame from</p> <p>10 outside of the frame on the left-hand side, falling</p> <p>11 down and being on the ground. Okay?</p> <p>12 A Okay.</p> <p>13 Q Let me know if you see that.</p> <p>14 (Whereupon, a video was played.)</p> <p>15 BY MR. DUBE:</p> <p>16 Q Do you see anything there?</p> <p>17 A No.</p> <p>18 Q Okay. Can you see my -- my cursor?</p> <p>19 A I can.</p> <p>20 Q Okay. Do you see anything right here?</p> <p>21 A A dark spot.</p> <p>22 Q Okay. All right.</p> <p>23 A The -- the third of the left side of the</p> <p>24 screen is dark.</p> <p>25 Q Right where my cursor is, right here.</p>	<p style="text-align: right;">165</p> <p>1 Q Okay. It's not -- for some reason...</p> <p>2 (Whereupon, a video was played.)</p> <p>3 BY MR. DUBE:</p> <p>4 Q Do you see anything?</p> <p>5 A Colors going from dark black to light</p> <p>6 black or a lighter black.</p> <p>7 (Whereupon, a video was played.)</p> <p>8 Q How about now? What do you see at this</p> <p>9 moment?</p> <p>10 A There's a muzzle flash at the top.</p> <p>11 Q Okay.</p> <p>12 A Appears to be a muzzle flash.</p> <p>13 Q Okay. Can you discern what this is right</p> <p>14 here?</p> <p>15 A No.</p> <p>16 Q Okay.</p> <p>17 (Whereupon, a video was played.)</p> <p>18 BY MR. DUBE:</p> <p>19 Q Can you -- in those last few frames, have</p> <p>20 you -- is there any conclusion or opinion that</p> <p>21 you've drawn?</p> <p>22 A No.</p> <p>23 Q Okay. Anything there?</p> <p>24 A No. I mean, other than slight color</p> <p>25 changes here and there, no.</p>

<p style="text-align: right;">166</p> <p>1 Q Okay. Can you tell the position of the</p> <p>2 shooter in relationship to where the color changes</p> <p>3 are occurring?</p> <p>4 A Only because where the muzzle flash is,</p> <p>5 maybe to the right.</p> <p>6 Q Okay. Are they below or above where the</p> <p>7 color change is occurring?</p> <p>8 MR. GILES: Objection. Form.</p> <p>9 THE DEPONENT: I -- I'm not sure. I...</p> <p>10 MR. DUBE: Okay. All right. Can you</p> <p>11 please play exhibit 18?</p> <p>12 BY MR. DUBE:</p> <p>13 Q Okay. So we've isolated that portion of</p> <p>14 the video. Okay? And so I'm going to play it for</p> <p>15 you.</p> <p>16 MR. DUBE: And can you do a VIC player,</p> <p>17 sir?</p> <p>18 THE DEPONENT: When you say we, who is we?</p> <p>19 MR. DUBE: We is defense.</p> <p>20 THE DEPONENT: Okay.</p> <p>21 EXHIBIT TECHNICIAN: Absolutely.</p> <p>22 MR. DUBE: I'm sorry. Not the defense.</p> <p>23 I'm usually -- the plaintiffs. Sorry.</p> <p>24 THE DEPONENT: Okay.</p> <p>25 BY MR. DUBE:</p>	<p style="text-align: right;">168</p> <p>1 THE DEPONENT: I see -- I see where the</p> <p>2 marker is, yes.</p> <p>3 (Whereupon, a video was played.)</p> <p>4 BY MR. DUBE:</p> <p>5 Q Is that consistent with a person's head up</p> <p>6 here and back over here?</p> <p>7 MR. GILES: Objection. Form.</p> <p>8 THE DEPONENT: I can't say that.</p> <p>9 MR. DUBE: Okay.</p> <p>10 (Whereupon, a video was played.)</p> <p>11 BY MR. DUBE:</p> <p>12 Q Do you see it consistent with a person on</p> <p>13 the ground being shot?</p> <p>14 A I don't -- no, I -- it -- it's different</p> <p>15 color -- I mean, it's lighter, different colors, but</p> <p>16 I can't tell you -- I can't tell you what it is.</p> <p>17 The other thing I -- I mean --</p> <p>18 Q I just -- you don't have to go further.</p> <p>19 Just I'm asking if -- if you -- you see something.</p> <p>20 If you see it, you see it. If you don't, you don't.</p> <p>21 A Okay.</p> <p>22 Q That's all. And I'll play -- this time,</p> <p>23 I'll play it at -- this one. Where is that?</p> <p>24 (Whereupon, a video was played.)</p> <p>25 MR. DUBE: The problem with this player is</p>
<p style="text-align: right;">167</p> <p>1 Q Okay. And do -- I have to do the playba--</p> <p>2 - okay, so I'm going to play it one time, regular</p> <p>3 speed.</p> <p>4 A Okay.</p> <p>5 Q Okay? And I'm going to slow it down again</p> <p>6 and you tell me if you observe anything.</p> <p>7 MR. DUBE: Do I have control? I think you</p> <p>8 have to do it each time.</p> <p>9 EXHIBIT TECHNICIAN: Yes, sir. You have</p> <p>10 control.</p> <p>11 MR. DUBE: Is it playing -- oh, it's</p> <p>12 playing at regular -- I want it at regular speed</p> <p>13 first.</p> <p>14 (Whereupon, a video was played.)</p> <p>15 BY MR. DUBE:</p> <p>16 Q What do you see there?</p> <p>17 MR. GILES: Objection. Form.</p> <p>18 THE DEPONENT: I'm not sure.</p> <p>19 By Mr. Dube:</p> <p>20 Q Okay. I'll play it again.</p> <p>21 (Whereupon, a video was played.)</p> <p>22 BY MR. DUBE:</p> <p>23 Q Do you see where it's marked Nathan's</p> <p>24 head?</p> <p>25 MR. GILES: Objection. Form.</p>	<p style="text-align: right;">169</p> <p>1 that you can't change the speed until after you</p> <p>2 press play. And so you have to -- it's unique --</p> <p>3 it's a -- it's a exercise in reflexes. Okay.</p> <p>4 Playing at .25 speed. Tell me what you see.</p> <p>5 (Whereupon, a video was played.)</p> <p>6 BY MR. DUBE:</p> <p>7 Q What, if anything, do you see?</p> <p>8 A I see more discolorations, moving. It --</p> <p>9 they are clearer than the other one, but they're not</p> <p>10 -- I can't tell you definitively that's a person. I</p> <p>11 -- I see where whoever's labeled it. I also don't</p> <p>12 know -- I -- I mean, you're showing me a video, but</p> <p>13 I don't know who's done this, who -- you know, what</p> <p>14 they've done. And so that's -- I don't know the</p> <p>15 process.</p> <p>16 Q I -- I'm not asking you any of that. I'm</p> <p>17 just asking you what do you see?</p> <p>18 A I saw a lighter-colored blob moving around</p> <p>19 on the side over there.</p> <p>20 Q Okay. Do you see anything -- where it's</p> <p>21 labeled head, do you see something that is</p> <p>22 consistent with what you would expect a head to look</p> <p>23 like?</p> <p>24 A It's not round. It's -- no.</p> <p>25 Q With -- with hair flopping?</p>

<p style="text-align: right;">170</p> <p>1 A I -- I'm not sure what it is.</p> <p>2 Q I'll play it one more time. And I'll try</p> <p>3 to pause it. Right...</p> <p>4 (Whereupon, a video was played.)</p> <p>5 BY MR. DUBE:</p> <p>6 Q Do you see anything here consistent with a</p> <p>7 person's head? And -- and then the back?</p> <p>8 A I see a big dark side on the left over</p> <p>9 there.</p> <p>10 Q Okay. Do you see a puff of smoke?</p> <p>11 A Yes.</p> <p>12 Q Okay. Does this appear the puff of smoke</p> <p>13 is shooting at whatever it is that you see down</p> <p>14 here?</p> <p>15 A Appears that direction, yes.</p> <p>16 Q And you can't tell from this still image</p> <p>17 right here that this is a person's head?</p> <p>18 A You're telling me or asking me?</p> <p>19 Q I'm asking you, can you tell that?</p> <p>20 A No.</p> <p>21 Q Okay.</p> <p>22 MR. GILES: Objection. Form.</p> <p>23 BY MR. DUBE:</p> <p>24 Q Can you tell that this is a person's back?</p> <p>25 A No.</p>	<p style="text-align: right;">172</p> <p>1 BY MR. DUBE:</p> <p>2 Q So I want you to pay attention to this</p> <p>3 area right here. Do you see that right there with</p> <p>4 my mouse?</p> <p>5 A Yes.</p> <p>6 Q Okay.</p> <p>7 (Whereupon, a video was played.)</p> <p>8 BY MR. DUBE:</p> <p>9 Q And you see that something has emerged</p> <p>10 right here? Do you see that?</p> <p>11 A I -- I see the color shifted.</p> <p>12 Q So you see -- you see a change from the</p> <p>13 previous frame. Correct?</p> <p>14 A Yes.</p> <p>15 Q Okay.</p> <p>16 (Whereupon, a video was played.)</p> <p>17 BY MR. DUBE:</p> <p>18 Q Do you see any change from the previous</p> <p>19 frame?</p> <p>20 A Yes.</p> <p>21 Q It's stuck.</p> <p>22 MR. DUBE: Did it freeze on your end, sir?</p> <p>23 Vincent? Can you get me back to -- I don't think</p> <p>24 this is -- okay.</p> <p>25 (Whereupon, a video was played.)</p>
<p style="text-align: right;">171</p> <p>1 Q The back side right here.</p> <p>2 A No.</p> <p>3 Q Okay. Do you see any movement consistent</p> <p>4 with somebody turning over after being shot?</p> <p>5 A No. It just -- the -- I -- I see the --</p> <p>6 what I call the blob -- the blob move to the bottom</p> <p>7 of the screen or to the bottom left, but I can't</p> <p>8 tell you that's a person.</p> <p>9 Q Okay. If that is a person, where would</p> <p>10 they be in -- relative to the -- to the -- to the</p> <p>11 gun that you see shooting down?</p> <p>12 MR. GILES: Objection. Form.</p> <p>13 THE DEPONENT: I don't know that there's</p> <p>14 enough there that I can tell you where they're at.</p> <p>15 BY MR. DUBE:</p> <p>16 Q All right. Now the last time I'm going to</p> <p>17 play it, but this time, I'll play it frame by frame</p> <p>18 for you. Okay?</p> <p>19 A Okay.</p> <p>20 Q And tell me if that helps you in any way,</p> <p>21 shape or form. If you see anything you want me to</p> <p>22 pause, let me know and I'll -- I'll gladly pause for</p> <p>23 you. Okay?</p> <p>24 A Okay.</p> <p>25 (Whereupon, a video was played.)</p>	<p style="text-align: right;">173</p> <p>1 BY MR. DUBE:</p> <p>2 Q All right. You see right here where it</p> <p>3 says Nathan's head? Do you see that?</p> <p>4 A Yes.</p> <p>5 Q Okay.</p> <p>6 (Whereupon, a video was played.)</p> <p>7 BY MR. DUBE:</p> <p>8 Q What do you see here?</p> <p>9 A The dark discoloration move to the right a</p> <p>10 little bit.</p> <p>11 Q Okay.</p> <p>12 A Continuing to move to the right. Same.</p> <p>13 (Whereupon, a video was played.)</p> <p>14 MR. DUBE: I don't know why it's not --</p> <p>15 all right. Let's do this. Let's just do the same</p> <p>16 thing.</p> <p>17 (Whereupon, a video was played.)</p> <p>18 BY MR. DUBE:</p> <p>19 Q You see where it says two?</p> <p>20 A No, I see three.</p> <p>21 Q Three? Okay.</p> <p>22 (Whereupon, a video was played.)</p> <p>23 BY MR. DUBE:</p> <p>24 Q And you can't te--- you cannot tell that</p> <p>25 is a person on the ground being shot?</p>

<p style="text-align: right;">174</p> <p>1 A No.</p> <p>2 Q Okay.</p> <p>3 MR. DUBE: All right. Let's play exhibit</p> <p>4 number --</p> <p>5 MR. GILES: Could I please make sure we're</p> <p>6 clear on the record that what you've been playing as</p> <p>7 exhibit 18 is not a copy of the actual video that</p> <p>8 the chief looked at and not an actual video of this</p> <p>9 event, but some other recording that's been</p> <p>10 modified?</p> <p>11 MR. DUBE: Correct.</p> <p>12 BY MR. DUBE:</p> <p>13 Q And is there anything that prevented you</p> <p>14 from hiring somebody, a video enhancer, to do the</p> <p>15 same thing at the time of the incident?</p> <p>16 A No.</p> <p>17 Q Okay. It was just your opinion decision</p> <p>18 not to do so. Correct?</p> <p>19 A I mean, mine, the investigators, yeah.</p> <p>20 MR. DUBE: Okay. All right. We will play</p> <p>21 one more. I think it is exhibit 32.</p> <p>22 EXHIBIT TECHNICIAN: Sorry, sir. What was</p> <p>23 the exhibit number one more time?</p> <p>24 MR. DUBE: Thirty-two, please.</p> <p>25 EXHIBIT TECHNICIAN: Thirty-two. Got it.</p>	<p style="text-align: right;">176</p> <p>1 A Okay.</p> <p>2 (Whereupon, a video was played.)</p> <p>3 BY MR. DUBE:</p> <p>4 Q What did you see?</p> <p>5 A I saw gun fire -- appeared to be gun fire.</p> <p>6 Saw something moving, and at the end, Officer</p> <p>7 Saldivar appears to be picking up his body camera.</p> <p>8 Q Was the thing moving the object that was</p> <p>9 being shot at?</p> <p>10 A I am not sure.</p> <p>11 Q Okay. Was the thing moving on the ground?</p> <p>12 A Not sure.</p> <p>13 Q All right. We'll play it one more time.</p> <p>14 (Whereupon, a video was played.)</p> <p>15 BY MR. DUBE:</p> <p>16 Q What did you see?</p> <p>17 A Same thing I saw before, that it moves.</p> <p>18 Q Does it appear to you that Officer</p> <p>19 Saldivar is shooting at a person on the ground?</p> <p>20 A I'm not sure of that because I don't know</p> <p>21 what's -- I -- I -- I don't know what that is.</p> <p>22 Q Okay. I'm -- I'm asking you, based on</p> <p>23 what you see in the video, does it appear to you</p> <p>24 that Officer Saldivar is shooting at the object on</p> <p>25 the ground?</p>
<p style="text-align: right;">175</p> <p>1 BY MR. DUBE:</p> <p>2 Q Okay. So in this video, the camera --</p> <p>3 because the camera was on the ground, it has been</p> <p>4 shifted, it's been rotated so that, you know, we are</p> <p>5 at street level now. And you will see where the car</p> <p>6 passes and you will see where the light post is.</p> <p>7 Okay? So I'm going to play it one time for you.</p> <p>8 I'm showing you what's been marked exhibit 32.</p> <p>9 A Okay.</p> <p>10 MR. DUBE: Any objection to it being moved</p> <p>11 into this deposition?</p> <p>12 MR. GILES: No, I don't mind -- I don't --</p> <p>13 I don't object to you using this for the deposition</p> <p>14 as long as we identify again, this is not a copy of</p> <p>15 a recording the chief has seen and not a copy of a</p> <p>16 recording that is the actual recording made at the</p> <p>17 scene.</p> <p>18 MR. SELBE: No problem with using it in</p> <p>19 the deposition.</p> <p>20 MR. DUBE: Okay. Thank you.</p> <p>21 (Plaintiff's exhibit 32 marked for</p> <p>22 identification.)</p> <p>23 BY MR. DUBE:</p> <p>24 Q Okay. I am playing it one time at regular</p> <p>25 speed, then I'm going to slow it down. Okay?</p>	<p style="text-align: right;">177</p> <p>1 A The object on the ground?</p> <p>2 Q Yes.</p> <p>3 A I -- I -- I don't know 'cause I don't know</p> <p>4 what it is and I don't know.</p> <p>5 Q Are you able to discern whether or not</p> <p>6 that is a person on the ground?</p> <p>7 A I am not.</p> <p>8 Q Okay. And I'm going to play it in slow</p> <p>9 motion for you the next time we go through. So you -</p> <p>10 - so you do not see the person's hands moving,</p> <p>11 flailing, the head moving or anything from what you</p> <p>12 just saw?</p> <p>13 A No.</p> <p>14 Q Okay. Now we're going -- we're going to</p> <p>15 do the exercise where I try to stop it.</p> <p>16 (Whereupon, a video was played.)</p> <p>17 BY MR. DUBE:</p> <p>18 Q How many muzzle flashes did you see?</p> <p>19 A I think two.</p> <p>20 Q Okay. Could you tell what the -- what the</p> <p>21 gun was shooting at?</p> <p>22 A Could not.</p> <p>23 Q Did you see an object in the direction</p> <p>24 where the gun was shooting at?</p> <p>25 A I don't know what I saw there.</p>

<p style="text-align: right;">178</p> <p>1 Q So it's your testimony you can't -- you 2 don't know what you were seeing on the screen? 3 A That I don't know what I'm seeing? 4 Q Yeah. 5 A I see colors moving, but I don't know what 6 -- or colors changing, but I don't know what those 7 colors are. 8 Q Okay. Within the context of the 9 investigation where you know they've been shot -- 10 Schenk was shot. Correct? 11 A Yes. 12 Q Okay. And he was shot twice in the back. 13 Correct? 14 A Yes. 15 Q Okay. And you are a -- and you've seen 16 the muzzle flash. Correct? 17 A Correct. 18 Q Okay. And you've seen the muzzle flash 19 put into a particular direction. Correct? 20 A Correct. 21 Q Okay. It's still your testimony you 22 cannot discern what is occurring in this video in 23 terms of where Officer Saldivar was and where Mr. 24 Schenk was at the time of the shooting. 25 A I can't --</p>	<p style="text-align: right;">180</p> <p>1 EXHIBIT TECHNICIAN: I'm sorry, sir. I 2 couldn't hear you. What was the number one more 3 time? 4 MR. DUBE: Thirty-three. 5 EXHIBIT TECHNICIAN: Thirty-three. Got it. 6 MR. DUBE: Actually, before we go there, 7 let me take a quick break. 8 VIDEO TECHNICIAN: All right. The time is 9 now 2:09. We're off the record. 10 (Whereupon, a break was taken from the 11 proceedings.) 12 VIDEO TECHNICIAN: The time is now 2:12. 13 We're back on the record. 14 MR. DUBE: If we can show exhibit thirty-- 15 - I think it was 33, which -- whatever number I said 16 prior to break. Is there anyway you can make this 17 full screen, sir? 18 BY MR. DUBE: 19 Q I'm showing you what has been -- which are 20 screenshots from the video I just sent you -- I just 21 showed you. Okay? It's been marked as exhibit 22 number 33. 23 A Okay. 24 Q Do you -- do you see that? 25 A Yes.</p>
<p style="text-align: right;">179</p> <p>1 Q Is that -- is that your testimony? 2 A I cannot tell you that because there's 3 also an entrance wound to the front that -- I -- I 4 can't tell you what's happening when or where or who 5 he's pointing it at. 6 Q I'm not asking you to make a conclusion as 7 to whether or not the shooting is justified. I'm 8 not asking you to make any -- let me finish -- any 9 of those conclusions. I am just asking you if you 10 can look at the video and tell me where you think 11 Schenk is, where Officer Saldivar is and what 12 direction he's shooting at. 13 A I cannot. 14 Q Okay. And it's your testimony, sir, you - 15 - at this point of the movie, you cannot tell that 16 is Mr. Schenk being on his hands and knees while 17 Officer Saldivar is shooting? 18 A I cannot tell you that from that image, 19 no. 20 Q Okay. One final time and then we'll move 21 on. 22 (Whereupon, a video was played.) 23 MR. DUBE: Can you please show -- pull up 24 exhibit number -- hold on. Let me grab it; 33, 25 please.</p>	<p style="text-align: right;">181</p> <p>1 Q Okay. What if anything are you able to 2 see in this screenshot? 3 A Street light, maybe some trees. I'm not 4 sure -- there's black stuff down on the -- all along 5 the right -- left side, but I don't know what -- 6 what it is. 7 Q Okay. Do you see something right here 8 where I'm moving my cursor? 9 A It's not moving. Where at? 10 Q Oh, am I on the right -- yeah, I'm -- 11 right here where my cursor is. See my cursor right 12 here? Do you see my cursor? 13 A No. 14 MR. DUBE: Can you give me cursor control, 15 sir? 16 THE DEPONENT: Now. It's moving around, 17 the cursor. 18 EXHIBIT TECHNICIAN: I did, sir. 19 BY MR. DUBE: 20 Q Okay. Can you see this cursor moving? 21 A Well, it stopped moving, but I... 22 Q This one going in the circle? 23 A It's not moving. 24 MR. DUBE: It's not moving, sir. 25 THE DEPONENT: It was and then it stopped.</p>

<p style="text-align: right;">182</p> <p>1 MR. DUBE: No, it was his cursor.</p> <p>2 THE DEPONENT: Oh.</p> <p>3 EXHIBIT TECHNICIAN: For -- for some</p> <p>4 reason, when I give you control and you take over,</p> <p>5 the mouse disappears.</p> <p>6 MR. DUBE: Okay. Can you -- can you go to</p> <p>7 the bottom left corner where -- do you see a blob on</p> <p>8 the left corner right here? Yes.</p> <p>9 BY MR. DUBE:</p> <p>10 Q Do you see that?</p> <p>11 A Yes.</p> <p>12 Q Okay. What -- what do you think that is?</p> <p>13 A I -- I don't know.</p> <p>14 Q Okay. Next slide, please. Okay. What is</p> <p>15 that?</p> <p>16 A I'm not sure.</p> <p>17 Q All right. Do you -- can you tell the</p> <p>18 outline of a head right here?</p> <p>19 A I don't know where you're pointing to.</p> <p>20 Q Okay. Can you see a head right here?</p> <p>21 A Can I see it? No, I cannot see a head</p> <p>22 there.</p> <p>23 Q Okay. Do you see outline that's different</p> <p>24 from what you see right here?</p> <p>25 A It looks like bushes, if -- it looks like</p>	<p style="text-align: right;">184</p> <p>1 A Yes.</p> <p>2 Q Okay. And it says Nathan's head. Do you</p> <p>3 see that?</p> <p>4 A Yes.</p> <p>5 Q And --</p> <p>6 A I see the words on the screen.</p> <p>7 Q Yeah.</p> <p>8 A How about that?</p> <p>9 Q Yes. Do you see the words that say</p> <p>10 Nathan's back?</p> <p>11 A Yes.</p> <p>12 Q Okay. All right. Do you see that?</p> <p>13 A Yes.</p> <p>14 Q Okay. And is it your testimony that this</p> <p>15 is not consistent with a person's head and a</p> <p>16 person's back with a gun being shot down at them?</p> <p>17 A I can't tell you -- I -- fairly confident</p> <p>18 about the muzzle flash at the top. What you have</p> <p>19 labeled Nathan's back and Nathan's head, I cannot</p> <p>20 tell you that's what that is.</p> <p>21 Q Okay. All right. Thank you. No further</p> <p>22 questions -- on -- on -- on this topic. Sorry.</p> <p>23 After the conclusion of the investigation, did you -</p> <p>24 - did you terminate Officer Saldivar?</p> <p>25 A I did not.</p>
<p style="text-align: right;">183</p> <p>1 a bush or a tree. It looks consistent to the one to</p> <p>2 the right of it after the lighter -- right here --</p> <p>3 Q Uh-huh.</p> <p>4 A -- this looks consistent with this.</p> <p>5 MR. DUBE: Okay. All right. Next slide,</p> <p>6 please.</p> <p>7 BY MR. DUBE:</p> <p>8 Q Okay. What do you see up here?</p> <p>9 A That's a -- appears to be a muzzle flash.</p> <p>10 Q Okay. Is it pointing towards this object</p> <p>11 right here?</p> <p>12 A Actually, it looks like it's pointing</p> <p>13 above it.</p> <p>14 Q So it's above it. What -- what direction</p> <p>15 is it shooting at?</p> <p>16 A It's shooting above the area that you're</p> <p>17 pointing. It appears to be shooting at this area.</p> <p>18 Q Okay. Do you see anything consistent with</p> <p>19 a person's body shape here?</p> <p>20 A I do not.</p> <p>21 Q Okay. Next slide, please. Okay. This has</p> <p>22 been annotated. Do you see that?</p> <p>23 A Yes.</p> <p>24 Q Okay. And it says muzzle flash here. Do</p> <p>25 you see that?</p>	<p style="text-align: right;">185</p> <p>1 Q Okay. Would you have had the authority to</p> <p>2 terminate Officer Saldivar?</p> <p>3 A The authority, I could -- have the</p> <p>4 authority to indefinitely suspend him.</p> <p>5 Q Okay.</p> <p>6 A Which would start the appeals process</p> <p>7 because there's a -- there's a back side in civil</p> <p>8 service if you terminate somebody. It's while I make</p> <p>9 the decision to initiate the process, it's not the -</p> <p>10 - it's not the final say.</p> <p>11 Q Okay. So you had the authority to ensure</p> <p>12 that he was no longer working as a member of the</p> <p>13 police department at that time?</p> <p>14 A My decision's not final. It can be</p> <p>15 overridden by the civil service commission or an</p> <p>16 arbitrator. So to say that I could definitively</p> <p>17 keep him from working for Pasadena Police</p> <p>18 Department, I can't say that.</p> <p>19 Q But you have the authority to stop him</p> <p>20 from operating from -- at that point until civil</p> <p>21 service commission could make a determination.</p> <p>22 Correct?</p> <p>23 A I could do that. Yes.</p> <p>24 Q What is the process to terminate somebody</p> <p>25 from the police force?</p>

<p style="text-align: right;">186</p> <p>1 A Beginning when?</p> <p>2 Q Beginning at act of misconduct.</p> <p>3 A At some point, you draft a letter laying</p> <p>4 out the -- the policy violations, law violations.</p> <p>5 It becomes what's sometimes called the charging</p> <p>6 document in civil service. And it's delivered to</p> <p>7 the -- to the officer, telling them that they have</p> <p>8 been indefinitely suspended and that they have a</p> <p>9 certain -- the -- the appeals process is laid out to</p> <p>10 them and the -- and the deadline and the timelines.</p> <p>11 Q Yes. Did you do anything with respect to</p> <p>12 Offi--- any of those things with respect to Officer</p> <p>13 Saldivar after the shoo--- the Schenk shooting?</p> <p>14 A After the Schenk shooting, no.</p> <p>15 Q Did you take any steps to discipline</p> <p>16 Officer Saldivar for the Schenk shooting?</p> <p>17 A No.</p> <p>18 Q What is your opinion of Officer Saldivar's</p> <p>19 conduct with respect to the Schenk shooting?</p> <p>20 A It was lawful and justified.</p> <p>21 Q Do you see anything that he could have</p> <p>22 done better?</p> <p>23 A No.</p> <p>24 Q Did anyone offer an opinion to you as to</p> <p>25 whether or not Officer Saldivar should have remained</p>	<p style="text-align: right;">188</p> <p>1 Houston before. We've gone to some of our federal</p> <p>2 partners before.</p> <p>3 Q At the time you were evaluating Officer</p> <p>4 Saldivar's conduct, did you take the account that he</p> <p>5 had also shot -- well, let me start over. At the</p> <p>6 time you evaluated Officer Saldivar's conduct for</p> <p>7 the Schenk shooting, did you also consider the</p> <p>8 Ramirez shooting and his actions in that shooting as</p> <p>9 well?</p> <p>10 A No, because there -- it was a -- it was a</p> <p>11 justified shooting in compliance with departmental</p> <p>12 policy.</p> <p>13 Q Did it concern you that the same officer</p> <p>14 had shot two individuals within six months of each</p> <p>15 other?</p> <p>16 A No.</p> <p>17 Q Okay. How did you hear about the Aviles</p> <p>18 shooting? And by Aviles, I'm talking about the</p> <p>19 shooting of Randy Aviles by Rigo Sal--- Salvidar.</p> <p>20 A It was the night of, but I don't remember</p> <p>21 -- I didn't make the scene, so I don't -- I don't</p> <p>22 remember how I found out or who.</p> <p>23 Q What did you hear about the shooting?</p> <p>24 A That -- that it was a traffic stop that</p> <p>25 Officer Saldivar had made. The driver had stopped,</p>
<p style="text-align: right;">187</p> <p>1 on the police force after the Schenk shooting?</p> <p>2 A No. Oh -- oh, let me correct that. The</p> <p>3 lieutenant reviewed it and didn't find any policy</p> <p>4 violations, misconduct, the assistant chief and then</p> <p>5 myself. And so we were in agreement that he -- he</p> <p>6 should remain employed with the department.</p> <p>7 Q The officers -- did Sergeant Skripka offer</p> <p>8 an opinion to you that Detective Saldivar (sic)</p> <p>9 should not remain on the police force?</p> <p>10 A No. And I -- he -- they were conducting a</p> <p>11 criminal investigation, which is separate from the</p> <p>12 administrative investigation. And so -- so as not to</p> <p>13 appear to be influencing a criminal investigation in</p> <p>14 any way, they run that investigation after initial</p> <p>15 contact that I had with them regarding the video.</p> <p>16 They pre--- completed their case, present it to the</p> <p>17 D.A.'s office and then we go through the</p> <p>18 administrative process.</p> <p>19 Q You mentioned that the -- the -- the video</p> <p>20 could have been sent to an outside agency for it to</p> <p>21 be enhanced.</p> <p>22 A Could have been? Yes.</p> <p>23 Q Okay. Is there a particular agency that</p> <p>24 the Pa--- Pasadena Police Department uses?</p> <p>25 A We've gone to NASA before. We've gone to</p>	<p style="text-align: right;">189</p> <p>1 jumped out, simply drove away and Officer Saldivar</p> <p>2 fired at the vehicle.</p> <p>3 Q How were you contacted?</p> <p>4 A I assume by phone, but I don't know. I</p> <p>5 can't tell you -- I -- I don't have an independent</p> <p>6 recollection on this one like I do on some of the</p> <p>7 other ones.</p> <p>8 Q What phone would -- would you have been</p> <p>9 contacted on, a personal phone?</p> <p>10 A Yes.</p> <p>11 Q Okay. Is this the same phone that you</p> <p>12 currently possess?</p> <p>13 A No.</p> <p>14 Q Okay. When did you change out that phone?</p> <p>15 A The same thing -- it's the same. It was</p> <p>16 probably about a year ago, I got a new phone, so</p> <p>17 that would have been after.</p> <p>18 Q Did -- when you trans--- when you got the</p> <p>19 new phone, did you transition any data from the</p> <p>20 previous phone to that phone?</p> <p>21 A No. I start over, 'cause otherwise, they</p> <p>22 get slow and sluggish and...</p> <p>23 Q Did you back up any data, like pictures or</p> <p>24 anything you had on that phone, to a cloud or</p> <p>25 anything?</p>

<p style="text-align: right;">190</p> <p>1 A They are backed up to a hard drive I have.</p> <p>2 Q Okay. So the data on the previous phone</p> <p>3 is backed up to the data to a hard drive that you</p> <p>4 have?</p> <p>5 A Data? The pictures.</p> <p>6 Q Yeah.</p> <p>7 A Pictures are all I have.</p> <p>8 Q Okay. How about text messages or anything</p> <p>9 of that sort?</p> <p>10 A No.</p> <p>11 Q Are you sure -- like what is the process</p> <p>12 of backing up?</p> <p>13 A Back the pictures -- drag them over to my</p> <p>14 hard drive and then they -- that's where they're at.</p> <p>15 Q Did you do that or did somebody at Verizon</p> <p>16 do it?</p> <p>17 A No, I did that.</p> <p>18 Q All right. So you were contacted on your</p> <p>19 personal phone about the Saldivar shooting. Who --</p> <p>20 who contact you?</p> <p>21 A I don't know.</p> <p>22 Q Okay. What were you told?</p> <p>23 A That there was a traffic stop, the -- the</p> <p>24 driver had gotten out, driven away. And at some</p> <p>25 point, Officer Saldivar discharged his firearm at</p>	<p style="text-align: right;">192</p> <p>1 A I had made the decision the following</p> <p>2 morning that caused pause, caused concern. But</p> <p>3 Officer Saldivar is also entitled to due process and</p> <p>4 so I don't know what -- you know, had he been</p> <p>5 interviewed? I didn't know -- all I had at that</p> <p>6 point was making a decision based on the video and -</p> <p>7 - and the quick evidence that I had to protect</p> <p>8 Officer -- Officer Saldivar and the organization.</p> <p>9 Q How did you get a copy of the video?</p> <p>10 A It was -- they're -- they're online. They</p> <p>11 all upload to the cloud.</p> <p>12 Q Well, what made you go review the video?</p> <p>13 A Because it was an officer-involved</p> <p>14 shooting and it's a significant event.</p> <p>15 Q So do you -- so do you review videos of</p> <p>16 every officer-involved shooting?</p> <p>17 A Yes.</p> <p>18 Q Okay. While you were chief of police, how</p> <p>19 many officer-involved shootings occurred during your</p> <p>20 watch?</p> <p>21 A I'm not sure.</p> <p>22 Q Okay. As -- as assistant chief, how many</p> <p>23 officer-involved shootings occurred?</p> <p>24 A I -- I would be guessing. I don't know.</p> <p>25 Q Okay.</p>
<p style="text-align: right;">191</p> <p>1 the -- at the person in the vehicle.</p> <p>2 Q Were you told anything else?</p> <p>3 A At that point, no.</p> <p>4 Q Okay. Was --</p> <p>5 A Well, he -- I -- I was told that the</p> <p>6 person was struck, but he was likely going to</p> <p>7 survive his injuries. But that was -- that was the</p> <p>8 extent of it.</p> <p>9 Q Okay. What's the next thing you recall</p> <p>10 with respect to the -- of the shooting that involved</p> <p>11 you and your participation?</p> <p>12 A The next morning, I reviewed the video,</p> <p>13 drafted the administrative leave letter for Officer</p> <p>14 Saldivar. And that's what I recall my initial --</p> <p>15 Q What were your thoughts upon seeing that</p> <p>16 video?</p> <p>17 A I had concerns.</p> <p>18 Q Okay. What were those concerns?</p> <p>19 A That Officer Saldivar had shot at a</p> <p>20 vehicle that was driving away.</p> <p>21 Q Any other concerns?</p> <p>22 A I mean, I think that's a big enough</p> <p>23 concern. That's the only one I had at the time.</p> <p>24 Q Did you feel that he was under any</p> <p>25 imminent harm at the time he was shooting?</p>	<p style="text-align: right;">193</p> <p>1 A Some years there's more than others. So I</p> <p>2 don't -- I don't know.</p> <p>3 Q Okay. Let's just take it -- let's take it</p> <p>4 position by position. Okay? When you were</p> <p>5 assistant chief, do you recall whether or not there</p> <p>6 were more than five, more than ten? How many</p> <p>7 officer-involved shootings occurred while you were</p> <p>8 assistant chief of police?</p> <p>9 A I would say ten. Probably more than ten.</p> <p>10 Q And how long were you chief of police?</p> <p>11 Assistant chief of police. Sorry.</p> <p>12 A Five years and a couple months.</p> <p>13 Q And then in the two months that you were</p> <p>14 interim chief of police, how many officer-involved</p> <p>15 shootings occurred during that time?</p> <p>16 A I only know of the Schenk, but that</p> <p>17 doesn't mean there wasn't another one. I don't --</p> <p>18 I'm not sure.</p> <p>19 Q And how long between that -- because that</p> <p>20 -- that was in April -- or that was in November of</p> <p>21 2018. Correct?</p> <p>22 A Correct.</p> <p>23 Q Okay. And you became chief of police</p> <p>24 January 2019. Correct?</p> <p>25 A Yes.</p>

<p style="text-align: right;">194</p> <p>1 Q Okay. So from January ni--- 2019 to 2 January 2021 when Officer Saldivar shot Mr. Aviles, 3 how many officer-involved shootings occurred during 4 that time? 5 A I'm not sure. They all run together and I 6 can't tell you by -- you know, by years. 7 Q Okay. More than five, more -- less than 8 ten? Like can you give me your best estimate? 9 A My best estimate is five to ten. 10 Q Five to ten. 11 A Well, that might be high because I'm -- 12 I'm thinking my entire time as chief. That's just a 13 two-year period. Probably closer to five. 14 Q Closer -- okay. So while you were chief, 15 you estimate there were about five to ten shootings 16 that occurred? 17 A During the five years that I was -- or 18 almost five years I was chief, yes. 19 Q Okay. And during the two years between 20 when you became chief and when Officer Saldivar shot 21 Mr. Aviles, there were approximately five shootings? 22 A Give or take, yes. 23 Q Of those shootings, how many did the 24 police department determine were justified or 25 unjustified?</p>	<p style="text-align: right;">196</p> <p>1 three days. And then before they come back, they 2 have to go see a police psychiatrist to be cleared 3 to come back as well as have to go to the range and 4 qualify. Once those are done -- and again, each case 5 is a little bit different because it depends on the 6 circumstances of the shooting as well. 7 This last shooting the Officer Saldivar, 8 the Aviles shooting, was a little bit different 9 because he never went back to the streets after that 10 shooting. 11 That day was -- after that, he never 12 worked the streets. And that was because of the 13 concerns. And so allowing the process to play out - 14 - and so you asked about due process; you -- you -- 15 there's really three investigations that go on when 16 there's a shooting. You have the criminal 17 investigation done by the detectives with the 18 organization. You have the internal affairs 19 investigation, which in some ways parallels the 20 criminal investigation, but it's also separate. 21 And then you also have the district 22 attorney's office comes out on all of the officer- 23 involved shootings and they conduct their own 24 investigation. And then they take their 25 investigation and the criminal investigation and</p>
<p style="text-align: right;">195</p> <p>1 A I'm not -- I -- I don't know the answer to 2 that. 3 Q What other pro--- so what are the 4 procedures that your police department implemented 5 or incorporated while you were chief for an officer- 6 involved shooting? Like what were the due process 7 rights of an officer? What were the steps after a 8 shooting? 9 A So they were already in place. The only 10 change we made was when an officer's involved in a 11 shooting, they previously had gotten three -- were 12 on administrative leave for a minimum of three days. 13 We moved that to five. 14 Q Uh-huh. 15 A To five days. 16 Q Uh-huh. 17 A And so that was the only change that was 18 made. There was already a pretty good process and 19 procedure in place. 20 Q And what was that process and procedure? 21 A So when an officer's involved in a 22 shooting, at the time of the scene, they are put in 23 a car with what we call a buddy officer and they are 24 not to talk about the case. The officer then goes 25 on administrative leave after that day for at least</p>	<p style="text-align: right;">197</p> <p>1 present it to a grand jury. 2 Q What -- are officers given access to an 3 attorney at the scene of a shooting? 4 A Are they given access? 5 Q Yes. 6 A That's their right through the union. 7 It's a criminal investigation, so just like anybody 8 else that's accused of a crime, if they request an 9 attorney, then they are entitled to an attorney just 10 like anybody else. 11 Q Are they provided an attorney with the -- 12 are they required to request an attorney before the 13 attorney gets there or is the off-- is the attorney 14 automatically dispatched to the scene? 15 A It's not automatic. We -- the Pasadena 16 Police Department as an organization does not do it. 17 Now, if other officers call for an officer, I have 18 no knowledge of that. I don't -- I don't ask, hey, 19 how did you get out here? So I'm not sure. I can 20 just tell you from my experience with the 21 organization that sometimes the officer will call; 22 sometimes another officer will call on their behalf. 23 But the legal protection is -- is provided through 24 their union dues. 25 Q Uh-huh.</p>

<p style="text-align: right;">198</p> <p>1 A And so sometimes the union president will 2 find out about it and the union president will 3 contact the attorney. 4 Q Okay. Back to Officer Saldivar in the 5 Aviles shooting, so after the Aviles shooting, you 6 stated the next day, you watched the video. 7 Correct? 8 A Yes. 9 Q And then you wrote a -- a administrative 10 leave memo? 11 A Yes. 12 Q What did that memo say? 13 A It's standard. It says you're -- you -- 14 basically, you're on leave, administrative leave, 15 because you were involved in a shooting, and -- and 16 you can't come back to work until at least these -- 17 this criteria is met. 18 Q Did you draft the administrative leave 19 memo after the Schenk shooting? 20 A Yes. Well, one was drafted. Whether I did 21 it or one of the assistant chiefs, one was done. 22 Yes. Yes. 23 Q Okay. So one was done, but not you? 24 A I may have done it. I don't know. 25 Q Okay. How about after the Ramirez</p>	<p style="text-align: right;">200</p> <p>1 -- I believe the shooting was on January 12 of '21. 2 I believe. And then the following day, the letter 3 was drafted and then Officer Saldivar stayed out on 4 administrative leave until the 24th of January. 5 Q Okay. 6 A And then when he came back on the 25th, I 7 met with him and told him he was going to be 8 assigned to inside duties. 9 Q And how long would he be assigned to 10 inside duties did you tell him? 11 A I told him until we got this all -- the 12 investigation was done. 13 Q And who was conducting that investigation? 14 A Detectives were investigating, one, the 15 criminal investigation, and then internal affairs 16 conducted the administrative investigation. 17 Q How long did Officer Saldivar remain on 18 inside duty? 19 A Until his separation from the department. 20 Q When was that? 21 A I believe it was July 9th of 2021. 22 Q What caused the separation from the 23 department? 24 A What caused it? He ele--- 25 Q For -- go ahead.</p>
<p style="text-align: right;">199</p> <p>1 shooting? 2 A Yes. 3 Q Okay. 4 A It would have been -- it -- it's standard 5 procedure that's done on officer-involved shootings. 6 Q Do you recall whether or not you did it? 7 A I don't recall. 8 Q Okay. Why -- why did you take it upon 9 yourself to write the memo after the Aviles 10 shooting? 11 A Because I was in the office dealing with 12 all of that -- normally, I do them. 13 Q Okay. 14 A If I'm out of town, not there, somebody 15 else will do it. 16 Q Uh-huh. 17 A But generally, I do them. So that wasn't 18 out of the ordinary for me to do it for the Aviles 19 shooting. 20 Q Gotcha. And then what did you do after 21 you wrote the memo? 22 A Delivered it to internal affairs so they 23 could deliver it to Officer Saldivar. 24 Q Uh-huh. 25 A Because he was on administrative leave. I</p>	<p style="text-align: right;">201</p> <p>1 A Go -- 2 Q No. What caused it? 3 A He elected to retire. 4 Q Was he suspended for the Aviles shooting? 5 A Suspended? 6 Q Yes. 7 A No. The investigation wasn't done when he 8 separated. He still had an open criminal 9 investigation that was at the -- the district 10 attorney's office. And so as chief, if I'm at -- 11 end up having to indefinitely suspend or terminate 12 somebody, I want the best case that I can get 13 because the last thing I want is an officer that -- 14 you know, that I separate from, an arbitrator 15 sending them back. 16 And so we have -- one of our rules, for 17 example, is that you have to follow the laws. And 18 so, you know, my concerns with this last shooting, 19 the Aviles shooting, was potentially, there could be 20 criminal violations. And if so, it would be prudent 21 for me as chief to wait until all of it's done 22 because he was no longer -- he -- he was inside. 23 He was restrictive duties, inside duties. 24 And so he -- he didn't have contact with the public. 25 He was assigned to the property room. And so to</p>

<p style="text-align: right;">202</p> <p>1 allow this investigation to play out, allow the 2 district attorney's office to make their decision 3 because if I get to a position where I have to 4 terminate or indefinitely suspend him, the more I 5 have, the better. 6 And so you know, had he been -- had he 7 still been employed with us when he was indicted, 8 that would be another -- another thing that I could 9 articulate as a reason for the -- for the 10 termination. And so... 11 Q While he was inside, did -- did he have 12 access to a weapon? 13 A I don't recall. I don't rec--- I -- I 14 don't remember whether his police powers were 15 terminated or he was just inside because I know he 16 could not work extra jobs; he couldn't -- I can't 17 take somebody -- I -- I can't take somebody's 18 weapon. Officers' weapons are owned by the officer. 19 They are not owned by -- by the organization. So I 20 -- I can't take officers' weapons. Even -- 21 Q Well, his -- so you -- you could not 22 restrict his ability to have a gun while he was 23 working for the City? 24 A I could restrict his ability to possess a 25 gun because of his being a peace officer in the</p>	<p style="text-align: right;">204</p> <p>1 affirmatively taking away his ability to carry a gun 2 while performing his duties as a police officer 3 after the Aviles shooting? 4 A He wasn't performing duties as a police 5 officer after the shooting. He was inside assigned 6 to the property room doing clerical work. 7 Q Okay. Is clerical work not part of police 8 duties? 9 A It's no different than all the civilians 10 that are in there. It's -- it's all civilians and 11 then it was him while he was assigned there. 12 Q Was he being paid? 13 A Yes. 14 Q He was being paid by the police 15 department? 16 A Yes. 17 Q Okay. So at -- at that time, do you 18 recall whether or not you took -- you took away his 19 ability to possess a gun while on the premises of 20 Pasadena Police Department? 21 A I do not recall that. 22 Q So from January 25th 'til he retired in -- 23 A It was July 9th, I believe. 24 Q -- on July 9th, he remained employed by 25 the Pasadena Police Department?</p>
<p style="text-align: right;">203</p> <p>1 State of Texas. However, I think you said earlier, 2 you know, open carry and all of that, because of 3 that, just like anybody else in Texas, assuming 4 you're not a felon and -- and the limited criteria, 5 could carry a gun, Officer Saldivar could carry a 6 gun under that authority whether I took his police 7 powers away from him or not. 8 Q Could -- but while he was at the police 9 department and on his way to work at the police 10 department or leaving work from the police 11 department, would you have had the ability to 12 restrict his ability to possess a gun during those 13 times? 14 A Coming to and from work? No. 15 Q At work? 16 A At work, I could. He was in plain 17 clothes. He was not in uniform. After -- whenever 18 he came back on June 25th, he was never in uniform 19 again either. So I don't -- 20 Q So -- and -- 21 A He wasn't walking around with a gun on his 22 hip. I don't know if -- I -- I -- again, I -- one, 23 I don't know if we suspended those privileges. 24 Q Do you -- so let me ask the question this 25 way. Sitting where you are today, do you recall</p>	<p style="text-align: right;">205</p> <p>1 A Yes. 2 Q Okay. And he was being paid by the 3 Pasadena Police Department? 4 A Yes. But civil service also governs the 5 ability to -- 6 Q There's not a question pending, sir. 7 A I'm sorry? 8 Q There's not a question pending. I just 9 ask the questions I ask. I'm -- would it have been 10 -- would it have been accurate for him during that 11 time period to tell somebody I am a Pasadena Police 12 Department officer? 13 A Would it have been what? 14 Q So during -- from Jan--- January 2021 -- 15 January 25th, 2021 to July 9th, 2021, if Officer 16 Saldivar was asked, are you a Pasadena Police 17 Department officer and he said yes, would that have 18 been accurate? 19 A Yes. 20 Q Do you know when the -- when the 21 investiga--- when the internal affairs investigation 22 into the Aviles shooting concluded? 23 A It wasn't until after he was gone because 24 it was left open and not concluded with findings 25 because we were waiting on the district attorney's</p>

<p style="text-align: right;">206</p> <p>1 office because, again, that -- that rule that I</p> <p>2 mentioned about having to follow the laws. And then</p> <p>3 once he separated from the organization, there was</p> <p>4 no hurry at that point because he -- he didn't work</p> <p>5 for the organization and we could wait until it</p> <p>6 played out in the -- in the criminal system.</p> <p>7 Q Do you know when the investigation was</p> <p>8 sent over to the district attorney's office?</p> <p>9 A Definitely, no.</p> <p>10 Q Okay. Approximately, in your</p> <p>11 approximation, when do you think that would have</p> <p>12 been done?</p> <p>13 A I seem to recall it being in April</p> <p>14 sometime.</p> <p>15 Q Okay. The shooting occurred in January</p> <p>16 and was sent over to the D.A.'s office approximately</p> <p>17 April?</p> <p>18 A That's my recollection.</p> <p>19 Q Okay.</p> <p>20 A I'm not a hundred percent certain on that.</p> <p>21 But...</p> <p>22 Q Okay. And you said when he came back on</p> <p>23 January 25th, 2021, you had a conversation with</p> <p>24 Officer Saldivar?</p> <p>25 A A brief conversation, yes.</p>	<p style="text-align: right;">208</p> <p>1 separated from the organization.</p> <p>2 Q Okay. Well, what was his classification</p> <p>3 when he separated?</p> <p>4 A It was honorable.</p> <p>5 Q So he received an honorable -- is it</p> <p>6 discharge? What --</p> <p>7 A Yes.</p> <p>8 Q What do you call it?</p> <p>9 A Yes, discharge.</p> <p>10 Q What's the effect of having a honorable</p> <p>11 discharge in terms of his pension and other things?</p> <p>12 A It has no effect on pension. Whether he --</p> <p>13 I mean, under these circumstances, had I -- had it</p> <p>14 gotten to the point where I indefinitely suspended</p> <p>15 him, it -- it -- your pension doesn't change in the</p> <p>16 State of Texas. His pension is his pension. I mean,</p> <p>17 even hypothetically in this case, if he were to be</p> <p>18 convicted and go to prison, he still continues to</p> <p>19 receive his pension. Those are his -- his monies</p> <p>20 under the -- in the state.</p> <p>21 Q Is there a -- a dishonorable discharge</p> <p>22 that can be given to an officer separating?</p> <p>23 A There is.</p> <p>24 Q Okay. What's the difference between a</p> <p>25 dishonorable discharge and honorable discharge?</p>
<p style="text-align: right;">207</p> <p>1 Q What was that conversation? What did you</p> <p>2 say; what did he say?</p> <p>3 A That with this shooting, the investigation</p> <p>4 pending, there was some concerns and he was going to</p> <p>5 be on inside duty, no uniform, no extra jobs, all of</p> <p>6 that, until after the investigation was complete.</p> <p>7 Q What did he say in response?</p> <p>8 A Not much. He was mad and left.</p> <p>9 Q How do you know he was mad?</p> <p>10 A I could tell by the look on his face and</p> <p>11 the way that he left the room, quickly without</p> <p>12 saying anything.</p> <p>13 Q Did you have any interaction with him</p> <p>14 between January 2021 and July 9th, 2021?</p> <p>15 A Yes.</p> <p>16 Q Okay. Tell me about those interactions.</p> <p>17 A The only interaction was right before he</p> <p>18 separated from the organization, the -- the</p> <p>19 circumstance under which he was going to leave and -</p> <p>20 - and TCOL and all of that.</p> <p>21 Q The jury doesn't know. So explain to the</p> <p>22 jury what you mean by that.</p> <p>23 A The Texas Commission on Law Enforcement</p> <p>24 and -- and how hi--- how he was going to be -- his</p> <p>25 classification was going to be on the -- when he</p>	<p style="text-align: right;">209</p> <p>1 A Typically, dishonorable, most often,</p> <p>2 criminal conduct or untruthfulness are the two big</p> <p>3 ones.</p> <p>4 Q Okay. But in terms of benefits and terms</p> <p>5 of how it -- it affects a person going forward,</p> <p>6 what's the difference in honorable discharge and</p> <p>7 dishonorable discharge?</p> <p>8 A Changes absolutely nothing. And that's</p> <p>9 the reason the State of Texas is about to change it,</p> <p>10 changed the last legislative session.</p> <p>11 Q Okay. How is -- what's the change?</p> <p>12 A There is no categories. You just --</p> <p>13 Q Discharge --</p> <p>14 A You work from this -- for the organization</p> <p>15 from this day to this day.</p> <p>16 Q When you were chief of police, did you</p> <p>17 have any role in hiring or -- or not hir--- or -- in</p> <p>18 hiring or -- sorry. When you were chief of police,</p> <p>19 did you have any role in hiring officers?</p> <p>20 A Yes.</p> <p>21 Q Okay. Would you have hired an officer</p> <p>22 with a dishonorable discharge from another police</p> <p>23 department?</p> <p>24 A It depends. It's the background process.</p> <p>25 Kind of -- you -- and the chiefs, we don't give a</p>

<p style="text-align: right;">210</p> <p>1 lot of credence to the classifications. And that's</p> <p>2 why it's incumbent upon organizations to do a</p> <p>3 thorough background check with another department.</p> <p>4 Q Well, if -- if you had a -- two candidates</p> <p>5 for -- for -- for a position, one was honorable</p> <p>6 discharge and one was dishonorably discharged, would</p> <p>7 it have affected your view as to making a decision</p> <p>8 either way?</p> <p>9 A Again, it would depend on what the -- I</p> <p>10 mean, you have politics in like sheriff's offices</p> <p>11 and constable's office that sometimes come into play</p> <p>12 in these things. And so it -- it depends on the</p> <p>13 background investigation and what's the reasoning</p> <p>14 behind it.</p> <p>15 Q So it played no role in your hiring</p> <p>16 process?</p> <p>17 A No.</p> <p>18 Q Why did you decide to give Officer</p> <p>19 Saldivar an honorable discharge as opposed to a</p> <p>20 dishonorable discharge?</p> <p>21 A As an incentive for him to separate from</p> <p>22 the organization.</p> <p>23 Q Explain what you mean by that.</p> <p>24 A So like I mentioned, any time if I</p> <p>25 indefinitely suspend an officer, they have a right</p>	<p style="text-align: right;">212</p> <p>1 the Aviles shooting was unjustified?</p> <p>2 A When he separated, no, because the</p> <p>3 investigation wasn't complete.</p> <p>4 Q So when he separated eight months later,</p> <p>5 nothing in his employment file indicated that he had</p> <p>6 been involved in a shooting that was deemed</p> <p>7 unjustif--- that you deemed unjustified?</p> <p>8 MR. SELBE: Objection.</p> <p>9 MR. GILES: Ob--- object. Form.</p> <p>10 THE DEPONENT: Sorry. Repeat your</p> <p>11 question.</p> <p>12 BY MR. DUBE:</p> <p>13 Q Sure. So at the time he separated from</p> <p>14 the Pasadena Police Department eight months after</p> <p>15 the Aviles shooting, there is nothing in his</p> <p>16 employment file that indicated that you or anybody</p> <p>17 else at the Pasadena Police Department determined</p> <p>18 that his shooting of Randy Aviles was unjustified.</p> <p>19 A There wasn't because we couldn't.</p> <p>20 MR. GILES: Dimitri, we've been going</p> <p>21 almost two hours.</p> <p>22 MR. DUBE: Uh-huh.</p> <p>23 MR. GILES: Can we take a short break?</p> <p>24 MR. DUBE: Of course. All right. Ten --</p> <p>25 MR. GILES: Ten minutes?</p>
<p style="text-align: right;">211</p> <p>1 to appeal and go to the civil service commission or</p> <p>2 an arbitrator. Arbitration is binding. And way too</p> <p>3 often -- this has been a topic that's come up, you</p> <p>4 know, post-George Floyd, the arbitration process,</p> <p>5 there's a Vanderbilt law, I recall, 46 percent of</p> <p>6 terminations were overturned by an arbitrator.</p> <p>7 And so as chief, first and foremost is</p> <p>8 protect the organization, protect the citizens. And</p> <p>9 that was at this point, after this -- this case,</p> <p>10 Officer Saldivar being outside -- being out of the</p> <p>11 organization. And so if he would separate without</p> <p>12 me having to terminate him, it's a benefit to the --</p> <p>13 it's a win/win for the organization because there's</p> <p>14 no appeals process, so it's final. He's -- he's</p> <p>15 gone. There's no risk of him coming back to the</p> <p>16 organization.</p> <p>17 And so any agency that does a background</p> <p>18 check should -- all of it's there. We -- we, by law,</p> <p>19 have to open up all the files to those</p> <p>20 organizations. So with that said, if that was</p> <p>21 important to him to get him to -- to separate from</p> <p>22 the organization...</p> <p>23 Q At the time Officer Saldivar departed --</p> <p>24 separated from Pasadena Police Department, was there</p> <p>25 anything in his employment files that indicated that</p>	<p style="text-align: right;">213</p> <p>1 MR. DUBE: Sure.</p> <p>2 VIDEO TECHNICIAN: The time is now 2:53</p> <p>3 and we're off the record.</p> <p>4 (Whereupon, a break was taken from the</p> <p>5 proceedings.)</p> <p>6 VIDEO TECHNICIAN: The time is now 3:09</p> <p>7 and we're back on the record.</p> <p>8 BY MR. DUBE:</p> <p>9 Q During the time from January of 2021 and</p> <p>10 August of 2021 when he was terminated -- sorry, when</p> <p>11 he retired, what were his exact duties for Officer</p> <p>12 Saldivar?</p> <p>13 A They were inside, basically clerical</p> <p>14 duties, receiving evidence as it comes in, doing</p> <p>15 research on evidence that -- that can be destroyed.</p> <p>16 And so it's clerical work.</p> <p>17 Q Okay. Are there any other Pasadena police</p> <p>18 officers who performed that same -- those same</p> <p>19 duties and work?</p> <p>20 A It's civilians.</p> <p>21 Q Okay.</p> <p>22 A There's a sergeant in there.</p> <p>23 Q Uh-huh.</p> <p>24 A There is now -- it's gone back and forth,</p> <p>25 but as far as officers, there's not officers.</p>

<p style="text-align: right;">214</p> <p>1 It's...</p> <p>2 Q And that was a decision that you made.</p> <p>3 Correct?</p> <p>4 A Yes.</p> <p>5 Q And that was within your authority.</p> <p>6 Correct?</p> <p>7 A Yes.</p> <p>8 Q Okay. And the reason you made that</p> <p>9 decision was to prevent him from interacting with</p> <p>10 the public?</p> <p>11 A Yes.</p> <p>12 Q Okay. And from placing the public in</p> <p>13 danger?</p> <p>14 A Yes.</p> <p>15 Q Okay. And did you believe that he was a</p> <p>16 threat to the public at that time?</p> <p>17 A I don't know that I -- threat's not the</p> <p>18 right word.</p> <p>19 Q A danger.</p> <p>20 A I -- I -- I don't even know that I would</p> <p>21 call it danger. I just think the prudent thing to</p> <p>22 do would be to keep him inside and not interact with</p> <p>23 the public.</p> <p>24 Q Prudent in what way?</p> <p>25 A You had an open investigation. I had</p>	<p style="text-align: right;">216</p> <p>1 April of 2021?</p> <p>2 A Yes.</p> <p>3 Q Do you know why it took so long for an</p> <p>4 indictment?</p> <p>5 A Do I know why?</p> <p>6 Q Uh-huh.</p> <p>7 A I know what I was told.</p> <p>8 Q Okay. What were you told?</p> <p>9 A The civil rights prosecutors were busy</p> <p>10 with Harding Street and didn't have time to review</p> <p>11 it and get on it.</p> <p>12 Q What's Harding Street?</p> <p>13 A Harding Street was a shooting in Houston,</p> <p>14 ended up with several officers indicted.</p> <p>15 Q So how did you learn this information?</p> <p>16 A I talked to the district attorney.</p> <p>17 Q Okay. When did you talk to the district</p> <p>18 attorney?</p> <p>19 A November of -- he was indicted in January</p> <p>20 of '23?</p> <p>21 Q Uh-huh.</p> <p>22 A November of '22.</p> <p>23 Q Well, can you tell me about that</p> <p>24 conversation?</p> <p>25 A Tell you about it?</p>
<p style="text-align: right;">215</p> <p>1 concerns, you know, with -- with the last shooting.</p> <p>2 And so to prevent anything else, you know, from</p> <p>3 happening until all of this was done and I could</p> <p>4 make a final decision was the best place.</p> <p>5 Q So because there's an open investigation</p> <p>6 into the Aviles shooting, you felt it was best to --</p> <p>7 to keep him from interacting with the public?</p> <p>8 A Because of the circumstances of the Aviles</p> <p>9 pu--- Aviles shooting, yes.</p> <p>10 Q And that investigation did not close prior</p> <p>11 to him leaving the police department?</p> <p>12 A That's correct. Criminal investigation</p> <p>13 was open -- I mean, technically, it's still open.</p> <p>14 Q Do you recall when he was actually</p> <p>15 indicted?</p> <p>16 A Right before the two-year anniversary. I</p> <p>17 want to say the middle of December of 2022.</p> <p>18 Q If I told you it was the beginning of</p> <p>19 January of 2023, would you have any reason to</p> <p>20 dispute --</p> <p>21 A No, it was around that time. Right --</p> <p>22 short of two years. I knew that. Or right around</p> <p>23 two years.</p> <p>24 Q And you stated before that the D.A.'s</p> <p>25 office had received the file from you guys in about</p>	<p style="text-align: right;">217</p> <p>1 Q Yes.</p> <p>2 A I -- I just asked her why it was taking so</p> <p>3 long, that they had had it for some time.</p> <p>4 Q Uh-huh.</p> <p>5 A And she was initially surprised, told me</p> <p>6 they shouldn't take that long, told me that, you</p> <p>7 know, they had been busy with Harding Street. And</p> <p>8 she told me when she got back to the office, she</p> <p>9 would figure out what the delay was.</p> <p>10 Q Okay. Do you know whether or not it had</p> <p>11 been presented to the grand jury prior to January</p> <p>12 2023?</p> <p>13 A Aviles shooting?</p> <p>14 Q Yes.</p> <p>15 A To my knowledge, no.</p> <p>16 MR. GILES: Hey, Dimitri, could you keep</p> <p>17 your voice up? You --</p> <p>18 MR. DUBE: Yeah.</p> <p>19 MR. GILES: You may be a little far away</p> <p>20 from the microphone or something, but every once in</p> <p>21 awhile, you're difficult to hear.</p> <p>22 MR. DUBE: Okay. Thank you for telling me</p> <p>23 that.</p> <p>24 BY MR. DUBE:</p> <p>25 Q And at that time, in November 2022,</p>

<p style="text-align: right;">218</p> <p>1 Officer Saldivar had already separated himself from 2 the police department. Correct? 3 A Yes, but we still had -- we still had the 4 open case sitting there, so yes. 5 Q Do you know approximately how long after 6 the Schenk shooting did that case go to the grand 7 jury? 8 A There was a delay there as well. It 9 wasn't two years. But I -- I don't remember when it 10 was. I -- I know it took a long time only because 11 there was some litigation over -- over some records 12 over it, but it was -- it was awhile. 13 Q It was -- it was less than two years? 14 A Yes. 15 Q Was it less than a year? 16 A I -- I don't know. I -- I seem to recall 17 it being around a year, but it was -- it was 18 lengthy. 19 Q How about the Ramirez shooting? Was there 20 a grand jury there as well? 21 A I don't know -- I -- I'm not sure if that 22 one was presented since nobody was hit. They've gone 23 back and forth on whether they present cases where a 24 person is not actually struck. 25 Q Okay. So Officer Saldivar was indicted in</p>	<p style="text-align: right;">220</p> <p>1 Q Yes. 2 A It -- yes. If we were served in twenty- 3 two -- October of '22, then yes. 4 Q Do you recall whether in your conversation 5 with the -- with the -- a D.A. if you told -- if you 6 informed them that the City had been sued for a 7 shooting? 8 A No, I had not. 9 Q You don't recall or you did not tell them? 10 A I did not tell them that. 11 Q Do you know if anybody told him that? 12 A I have no knowledge of anybody telling 13 him, no. 14 Q What's your opinion -- actually, no, 15 before we get to that, tell me how the conversation 16 -- I'm sorry, let me start over. Tell me the 17 conversations that occurred at the time of Saldivar 18 separating himself from the police department August 19 2021. 20 A A lot of it's going to be attorney--- it's 21 going to be attorney/client, so... 22 Q Well, I'll -- let's unpack that a little 23 bit because I just -- I'm trying to understand what 24 -- what -- what would have been and what would not 25 have been. The conversation with Saldivar would not</p>
<p style="text-align: right;">219</p> <p>1 late December, early January twenty-twen--- late 2 December 2022, early January 2023. Correct? 3 A Yes. 4 Q Okay. Do you recall when this lawsuit was 5 filed? 6 A No. 7 Q Okay. If I told you it was filed on 8 October 16th, 2022, would that refresh your memory? 9 A I'm not sure. 10 Q Okay. Let me ask you this. When -- when 11 did you first become aware of this lawsuit? 12 A Whenever the City was served. 13 Q Okay. So whenever the City was served, 14 that's when you became aware of the lawsuit? 15 A Yes. 16 Q Okay. Did your conversation with the 17 district attorney's office, did that occur before or 18 after the City was served? 19 A It was in November of '22. When did you 20 say the City was served? 21 Q In October. 22 A It was after that. 23 Q Okay. And he was indicted while this case 24 was pending. Correct? 25 A While the lawsuit was pending?</p>	<p style="text-align: right;">221</p> <p>1 be attorney/client privilege. 2 A Correct. 3 Q Okay? And so -- so without telling me 4 what -- like, you know, what you said, okay, or what 5 any attorney said to you, okay, tell me what type of 6 conversations you had at the time that Officer 7 Saldivar separated from the police department. 8 A There was only one conversation. It was 9 after discussions with the attorney where Officer 10 Saldivar reached out about separation and his F-5 11 form with TCOL. And he just wanted it in writing 12 what it was going to be. And I said I would do that 13 as long as I got his retirement from him. And that 14 was the extent of the conversation. 15 Q What's a T-5 file? 16 A No. F-5. 17 Q F-5. 18 A It's the separation form with TCOL. 19 Q I'm sorry. 20 A Yeah. 21 Q What's -- what's the F-5 file? 22 A What is it? 23 Q Yes. 24 A It's the separation form with TCOL, the 25 honorable, dishonorable. That -- that --</p>

<p style="text-align: right;">222</p> <p>1 Q Okay.</p> <p>2 A It's that form.</p> <p>3 Q I gotcha. And he wanted to know what it</p> <p>4 would say?</p> <p>5 A Yes.</p> <p>6 Q Did he ask you why? Did he -- did he tell</p> <p>7 you why he wanted to know?</p> <p>8 A Yes, he said, I just want to make sure</p> <p>9 this is going to be an honorable discharge. And he</p> <p>10 said, I just don't want you to say one thing and</p> <p>11 change it later. And so I said, I'll give it to you</p> <p>12 in writing as long as I have a resignation letter</p> <p>13 from you. And so...</p> <p>14 Q When did he first inform you that he</p> <p>15 intended to resign?</p> <p>16 A It was the week -- it was within a week or</p> <p>17 two of him actually leaving because part of the</p> <p>18 problem was we were coming up -- civil service, you</p> <p>19 got to impose discipline within 180 days from the</p> <p>20 day of the offense. And I believe that day was July</p> <p>21 11th because I think the 9th was a Friday. And so</p> <p>22 it was a Sunday and I wasn't coming to work Sunday.</p> <p>23 And so we had to -- I -- at that point, was being --</p> <p>24 my hand was being forced to -- to -- to make a</p> <p>25 decision. And so --</p>	<p style="text-align: right;">224</p> <p>1 Saldivar? Yes or no.</p> <p>2 A No.</p> <p>3 Q So his employment file would not reflect</p> <p>4 any discipline for the shooting of Randy Aviles in</p> <p>5 his -- sorry, I'm going to say it twice. Strike</p> <p>6 that. So his employment file would not reflect any</p> <p>7 civil service discipline for the shooting of Randy</p> <p>8 Aviles. Correct?</p> <p>9 A Correct.</p> <p>10 Q Would they issue any reprimands or lesser</p> <p>11 discipline for that shooting?</p> <p>12 A No.</p> <p>13 Q Would -- would -- would it reflect that he</p> <p>14 was placed in the -- what's it called? What did you</p> <p>15 say?</p> <p>16 A The property room?</p> <p>17 Q The property room?</p> <p>18 A I don't know that his file will say it. I</p> <p>19 know there's a record of it, but his file doesn't</p> <p>20 say it.</p> <p>21 Q So now we're going from July 11, 2021 to</p> <p>22 August 2021. Or August 9th when he --</p> <p>23 A July 9th. He separated July 9th.</p> <p>24 Q No, he separated August 9th.</p> <p>25 A From the Pasadena Police Department?</p>
<p style="text-align: right;">223</p> <p>1 Q Okay. So let's -- let's back up. So the</p> <p>2 incident ha--- occurred on January 12th, 2021.</p> <p>3 A Yes.</p> <p>4 Q Okay. Civil service discipline, right --</p> <p>5 A One -- yeah, 143.052 of the local</p> <p>6 government code.</p> <p>7 Q Okay. Had to occur within six months?</p> <p>8 A 180 days is what it says.</p> <p>9 Q 180 days of the misconduct.</p> <p>10 A Correct.</p> <p>11 Q Okay. So that would be July --</p> <p>12 A 11th.</p> <p>13 Q -- 11th?</p> <p>14 A Yes.</p> <p>15 Q Okay. Of 2021. Okay.</p> <p>16 A Yes.</p> <p>17 Q Okay. So during -- so during those six</p> <p>18 months, did you impose any civil service discipline</p> <p>19 upon Officer Saldivar?</p> <p>20 A I didn't because the investigation wasn't</p> <p>21 complete.</p> <p>22 Q I'll strike everything after did not. So</p> <p>23 I'm going to ask you the question again. Between</p> <p>24 January 12th, 2021 and July 11th, 2021, did you</p> <p>25 impose any civil service discipline on Officer</p>	<p style="text-align: right;">225</p> <p>1 Q Uh-huh. Yeah. It...</p> <p>2 A I don't think so. You might be right, but</p> <p>3 it's not my recollection.</p> <p>4 Q I think you actually testified earlier</p> <p>5 that it was August 9th as well, so -- but we will --</p> <p>6 we'll get to -- actually, you know what? I should</p> <p>7 have it here.</p> <p>8 MR. DUBE: Let's go off the record for two</p> <p>9 minutes.</p> <p>10 VIDEO TECHNICIAN: The time is now 3:26</p> <p>11 and we're off the record.</p> <p>12 (off the record.)</p> <p>13 VIDEO TECHNICIAN: The time is now 3:28</p> <p>14 and we're back on the record.</p> <p>15 BY MR. DUBE:</p> <p>16 Q Do you have any regrets with respect to</p> <p>17 any of the decisions you made with respect to</p> <p>18 Officer Saldivar?</p> <p>19 A No.</p> <p>20 Q What is your ultimate opinion of Officer</p> <p>21 Saldivar as a police officer?</p> <p>22 A I -- I don't think he should be a police</p> <p>23 officer.</p> <p>24 Q Why not?</p> <p>25 A His judgment on the Aviles shooting.</p>

<p style="text-align: right;">226</p> <p>1 Q Anything else?</p> <p>2 A No.</p> <p>3 Q Up until the Aviles shooting, did you have</p> <p>4 any cause for concern about his judgment as a police</p> <p>5 officer?</p> <p>6 A No.</p> <p>7 Q Does the Aviles shooting make you reflect</p> <p>8 on the decision that you made for prior two -- on</p> <p>9 the prior two shootings?</p> <p>10 A Does it make me what?</p> <p>11 Q Reflect on the decisions that you made for</p> <p>12 the prior two shootings.</p> <p>13 A No.</p> <p>14 Q Why not? Same person.</p> <p>15 A Different sets of facts.</p> <p>16 Q Okay. After the Schenk shooting, did</p> <p>17 Officer Saldivar receive a raise?</p> <p>18 MR. GILES: Objection. Form.</p> <p>19 THE DEPONENT: I'm sure he did whe--- it -</p> <p>20 - the COLAs that come in, so I'm sure he did.</p> <p>21 BY MR. DUBE:</p> <p>22 Q Okay. When do the raises typically occur?</p> <p>23 A Well, the police officers are on a step</p> <p>24 scale.</p> <p>25 Q Uh-huh.</p>	<p style="text-align: right;">228</p> <p>1 authority to determine whether or not he received a</p> <p>2 raise. Is there any reason why you would testify</p> <p>3 that -- to that effect?</p> <p>4 A No.</p> <p>5 Q Give me a second. When you retired from</p> <p>6 the Pasadena Police Department, you received a</p> <p>7 retirement party. Correct?</p> <p>8 A Yes.</p> <p>9 Q Okay. How -- how -- how did that occur?</p> <p>10 A How did it occur?</p> <p>11 Q Uh-huh. Like who planned it? Like what</p> <p>12 were the circumstances around it?</p> <p>13 A Everybody that leaves, retires from the</p> <p>14 organization, you have the option to do it and...</p> <p>15 Q Do -- do you know whether Officer Saldivar</p> <p>16 received a retirement party before he left?</p> <p>17 A He did not.</p> <p>18 Q Okay. Did he have the option to?</p> <p>19 A I don't know that he was even given -- I -</p> <p>20 - he was not given the option. There was never a</p> <p>21 discussion. He didn't ask and we weren't offering</p> <p>22 it.</p> <p>23 MR. DUBE: I don't have any -- no further</p> <p>24 questions.</p> <p>25 MR. GILES: Officer Saldivar will reserve</p>
<p style="text-align: right;">227</p> <p>1 A And so it doesn't matter whether you're a</p> <p>2 mediocre officer, superstar; once you hit, you know,</p> <p>3 say five years, this is your salary. And then COLAs</p> <p>4 are the same thing when the city does cost of living</p> <p>5 adjustments at the -- so it goes to everybody. And</p> <p>6 so he -- he -- he wouldn't have gotten a -- Ri---</p> <p>7 Salvidar wasn't singled out and said, hey, you get a</p> <p>8 raise. It's the step system and --</p> <p>9 Q Did you --</p> <p>10 A -- COLAs.</p> <p>11 Q Did you have authority to stop him from</p> <p>12 receiving that raise?</p> <p>13 A No, that's civil service.</p> <p>14 Q How about after the Aviles shooting? Did</p> <p>15 he receive a raise after that shooting?</p> <p>16 A It would have been the same set of</p> <p>17 circumstances, depending on where he was on the step</p> <p>18 chart as far as years of service and cost of living</p> <p>19 adjustments across the board for the city.</p> <p>20 Q My question was do you know if he received</p> <p>21 a raise after the Aviles shooting.</p> <p>22 A I -- I don't know the answer to that.</p> <p>23 Q I'm trying to find it, but I'm recalling</p> <p>24 that during your deposition in the Schenk case, you</p> <p>25 testified that it was ultimately within your</p>	<p style="text-align: right;">229</p> <p>1 his questions until time of trial.</p> <p>2 MR. SELBE: And I'll reserve my questions</p> <p>3 until time of trial.</p> <p>4 MR. DUBE: All right.</p> <p>5 MR. SELBE: Court reporter, do you need</p> <p>6 anything before we finish?</p> <p>7 COURT REPORTER: Yes, I need to -- to know</p> <p>8 -- and I appreciate it -- who wants copies of the</p> <p>9 transcript.</p> <p>10 MR. DUBE: I do.</p> <p>11 COURT REPORTER: That is Mr. Giles?</p> <p>12 THE DEPONENT: Giles, yes.</p> <p>13 MR. GILES: Giles. Yes.</p> <p>14 COURT REPORTER: And I didn't hear the</p> <p>15 other gentleman's answer.</p> <p>16 MR. SELBE: I do not want a -- a copy of</p> <p>17 the transcript.</p> <p>18 MR. GILES: Okay. Mr. Giles, do you have</p> <p>19 an email or -- or a website where I -- I just need</p> <p>20 to get your information.</p> <p>21 THE DEPONENT: Norman, I'll give it to</p> <p>22 him.</p> <p>23 MR. GILES: Thank you.</p> <p>24 COURT REPORTER: That'll work. Thank you</p> <p>25 so much for that. And I've got together with the</p>

<p style="text-align: right;">230</p> <p>1 witness. He's going to help me with the spellings 2 of the officers names that were mentioned that I 3 don't have, so we are good to go. Oh, read and 4 sign? 5 MR. GILES: Yes, please. 6 COURT REPORTER: Okay. And send it to? 7 MR. GILES: Me. 8 COURT REPORTER: Oh, to you. All right. 9 We will get this done. 10 MR. GILES: All right. Thank you very 11 much for your help. 12 VIDEO TECHNICIAN: All right. Okay. All 13 right. This concludes the video deposition of 14 Joshua Bruegger. The time is now three--- 3:35 and 15 we're off the record. 16 (Deponent excused.) 17 (Whereupon, at 3:35 p.m., the taking of 18 the foregoing deposition was concluded.) 19 20 21 22 23 24 25</p>	<p style="text-align: right;">232</p> <p>1 CERTIFICATE 2 3 I, Mark Hagood, do hereby certify that I reported all 4 proceedings adduced in the foregoing matter and that the 5 foregoing transcript pages constitutes a full, true, 6 and accurate record of said proceedings to the best of 7 my ability. 8 9 I further certify that I am neither related to 10 counsel or any part to the proceedings nor have any 11 interest in the outcome of the proceedings. 12 13 IN WITNESS HEREOF, I have hereunto set my hand this 14 23rd day of January, 2024. 15 16 17 18 19 20 /S/ Mark Hagood 21 22 23 24 25</p>
<p style="text-align: right;">231</p> <p>1 CERTIFICATE OF VIDEOGRAPHER 2 3 I the undersigned, Clark Bolen, am a videographer 4 on behalf of NAEGELI Deposition & Trial. I do hereby 5 certify that I have accurately made the video recording of 6 the deposition of Chief Joshua Bruegger, in the above 7 captioned matter on the 5th day of January 2024, in the 8 location of 937 Broadway Street, Myrtle Beach, SC 29577. 9 10 No alterations, additions or deletions were made 11 thereto. 12 13 I further certify that I am not related to any of 14 these parties in the matter and I have no financial 15 interest in the outcome of this matter. 16 17 18 19 20 Clark Bolen 21 Videographer 22 23 24 25</p>	<p style="text-align: right;">233</p> <p>1 Date: January 23, 2024 Assignment #: 71056 2 Attorney: Norman R. Giles, Esquire 3 Deponent: Chief Joshua Bruegger 4 Case: Aviles vs. Saldivar 5 6 ATTORNEY - TRANSCRIPT ENCLOSED: Signature of your 7 client 8 is required. Please have your client make any corrections 9 necessary. Sign the Correction Sheet where indicated. 10 Forward a COPY of the executed Correction Sheet directly 11 to the attorney(s) listed below. (The Address(es) can be 12 found on the Appearance page of the deposition.) Also, 13 send a COPY of the executed Correction Sheet to our 14 corporation. 15 16 17 18 19 20 CC: Naegeli Deposition & Trial 21 Dimitri Dube, Esquire 22 23 24 25</p>

234

CORRECTION SHEET

Deposition of: Chief Joshua Bruegger Date: 01/05/24
 Regarding: Aviles vs. Saldivar
 Reporter: Hagood

Please make all corrections, changes or clarifications
 to your testimony on this sheet, showing page and line
 number. If there are no changes, write "none" across
 the page. Sign this sheet on the line provided.

Page	Line	Reason for Change
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		

Signature _____

Chief Joshua Bruegger

235

DECLARATION

Deposition of: Chief Joshua Bruegger Date: 01/05/24
 Regarding: Aviles vs. Saldivar
 Reporter: Hagood

I declare under penalty of perjury the following to
 be true:

I have read my deposition and the same is true and
 accurate save and except for any corrections as made
 by me on the Correction Page herein.

Signed at _____,
 on the _____ day of _____, 2024.

Signature _____

Chief Joshua Bruegger

<u>0</u>	222:19	51:14 56:15	217:25
052 62:15	223:8 223:9	2017 52:25	219:2 219:8
06 24:6	19 85:10 86:8	2018 25:17	2023 9:6
	86:13 86:20	50:10 53:19	9:7 9:13
<u>1</u>	87:6 92:4	54:1	215:19
1:13 144:7	1995 12:4	56:15 57:24	217:12
10:46 77:4	12:11	61:17 62:24	219:2
11 224:21	1998 13:11	66:13 71:21	2024 7:4 7:10
11:01 77:7	13:16 13:24	74:19 74:22	21 200:1
11th 222:21		88:16 88:17	22 19:17
223:12	<u>2</u>	107:6 110:4	216:22
223:13	2:09 180:9	110:16	219:19
223:24	2:12 180:12	110:19	220:3
12 11:20 49:2	2:53 213:2	2019 57:25	225 30:11
200:1	20 108:6	61:18 61:25	23 19:17
12:23 144:4	200 31:5	62:2 66:8	216:20
12th 223:2	2000 15:16	193:24	24 146:6
223:24	21:9	194:1	147:6
13 11:20	21:10 22:1	2020 90:3	147:25
143 22:11	2004 21:20	2021 25:17	24th 200:4
58:6	22:7	110:6 145:2	25 169:4
59:24 60:14	2005 21:23	148:6 194:2	25th 200:6
62:14	22:7	200:21	203:18
143.052 223:5	2006 21:7	205:14	204:22
15 53:5 108:6	21:13 21:18	205:15	205:15
15-ish 25:12	33:8 35:7	206:23	206:23
15th 145:2	35:8	207:14	26 26:18
16 146:6	2008 25:16	207:14	290 30:11
147:6	2009 35:13	213:9	31:5
16th 219:8	36:18 41:18	213:10	2nd 13:11
17 151:9	41:20	216:1	57:25 62:2
18 68:15	2012 34:4	220:19	
107:6	36:21 41:18	223:2	<u>3</u>
166:11	41:20 47:12	223:15	3:09 213:6
174:7	47:15 50:23	223:24	3:26 225:10
180 62:16	51:1	223:24	3:28 225:13
	2013 51:7	224:21	3:35 230:14
		224:22	
		2022 215:17	

230:17	6th 9:13	205:5	188:4
30th 9:6	<hr/>	able 9:16	accurate
9:7 52:25	<hr/> 7 <hr/>	58:16 65:12	205:10
32 174:21	7 161:23	84:1 106:10	205:18
175:8	7th 54:1	152:11	accused
175:21	57:24	158:10	102:19
33 179:24	<hr/>	177:5 181:1	106:4 197:8
180:15	<hr/> 9 <hr/>	abreast 78:25	across
180:22	9:22 7:5 7:14	80:4	43:10 48:19
34 145:23	9:47 30:23	absolutely	227:19
146:10	9:49 31:1	45:7	act 131:20
147:3	94 12:6	62:12	186:2
35 32:24	97 12:24	93:1 145:24	acted
48:14	13:12 13:13	151:11	128:23
39 26:4	98 14:9	166:21	131:17
<hr/>	9th 200:21	209:8	acting
<hr/> 4 <hr/>	204:23	academically	53:20 57:22
40 26:4 32:24	204:24	14:15	58:1 58:4
34:15 48:14	205:15	academy	58:6 58:8
40-ish 32:23	207:14	14:7	58:8
4100 20:16	222:21	14:23	58:20 58:21
44 145:23	224:22	15:2 28:9	59:4
46 211:5	224:23	32:17 47:16	59:17 59:22
<hr/>	224:23	47:24 75:21	59:23 60:21
<hr/> 5 <hr/>	224:24	76:3 76:3	60:23
5 7:4	225:5	78:24	61:3
5:58 153:12	<hr/>	80:8	61:22 74:17
50 32:20	<hr/> A <hr/>	81:19 81:23	76:9 107:8
5200 66:20	A.M 7:5	access 109:15	action
5th 7:10	ability 45:13	110:18	58:10
<hr/>	59:3 59:5	140:6 197:2	59:1
<hr/> 6 <hr/>	62:9	197:4	59:20
6:45 155:25	76:18	202:12	60:8
157:18	202:22	accidents	60:18 62:14
158:22	202:24	79:6	62:16 72:16
60 34:14	203:11	accomplish	88:10 97:25
	203:12	63:20	98:1
	204:1	account 46:16	actions
	204:19	87:21 119:1	58:5 62:10

65:8	227:19	47:10 48:19	187:5
90:15 90:15	admin 32:16	49:20 68:23	ahead
188:8	32:19 32:25	71:3 78:2	151:15
active 53:1	administer	196:18	151:20
53:24	17:1	199:22	200:25
activities	Administering	200:15	Al 53:8 57:1
37:19	16:12	205:21	alienated
actual 16:2	administrativ	affected	114:24
76:5	e 187:12	210:7	alive 36:7
78:16	187:18	affects 209:5	allegation
118:17	191:13	affirmatively	18:6 43:4
174:7 174:8	195:12	204:1	allegations
175:16	195:25	affirming	17:25
actually	198:9	74:9	18:4 19:25
14:21	198:14	afternoon	allege 20:18
39:5 49:6	198:18	144:10	alleged 18:11
52:11	199:25	144:18	20:8
69:2 72:3	200:4	afterwards	allow 202:1
76:6	200:16	91:9	202:1
83:21 90:17	admission	against 35:16	allowing
93:9 114:25	86:22	59:1	146:8
116:9	146:14	agency	196:13
138:11	advantage	22:11	already 90:17
157:4 163:6	92:20	150:23	114:5 195:9
180:6	affairs	151:1	195:18
183:12	10:5 10:8	187:20	218:1
215:14	36:19	187:23	als 29:23
218:24	37:1	211:17	altercation
220:14	37:12 37:22	agent 122:18	130:17
222:17	38:4 39:1	aggravated	alternative
225:4 225:6	39:7	40:22	22:14 22:22
add 102:16	39:23 42:23	ago 25:12	am 102:4
added 26:12	42:25	84:23 86:19	164:9
additional	43:8	111:1	175:24
43:9	43:12 43:13	122:12	176:10
address	44:6	145:8	177:7 179:9
137:16	44:10	189:16	181:10
adjustments	46:4	agreement	
227:5	46:23		
	47:1 47:5		

205:11	197:7	160:20	appear 68:4
amongst 83:19	197:10	161:12	164:23
amount 107:10	203:3	162:4 162:9	170:12
analysis 79:4	212:16	162:13	176:18
104:3	220:11	163:8	176:23
analyze 88:8	220:12	163:16	187:13
Angel 84:13	anyone	163:20	appearance
angle 158:16	109:9 110:9	165:4	7:25 69:9
anniversary	111:6	165:23	appeared
215:16	186:24	167:6 169:7	68:10
annotated	anything 9:20	169:20	147:10
183:22	10:19 13:17	170:6	147:20
answer 46:7	15:8	171:21	176:5
91:5	16:16	174:13	appears 94:24
97:20	20:9	177:11	153:19
99:2	28:23	181:1	158:15
105:9 115:9	37:4	183:18	165:12
147:11	41:20	186:11	170:15
147:13	46:9 52:6	186:21	176:7 183:9
147:18	67:11 69:13	189:24	183:17
147:22	77:21 106:9	189:25	appointed
149:9 195:1	109:13	190:8 191:2	53:16 53:17
227:22	111:13	207:12	53:20 53:24
229:15	111:16	211:25	57:12
answered	114:3	215:2 226:1	58:2
101:10	114:21	229:6	61:23
101:12	118:12	anyway 146:19	62:1
106:18	123:25	180:16	62:25 76:10
answers	125:22	anywhere	77:11 78:17
106:22	125:23	24:23 30:10	appreciate
anybody 10:23	139:2	146:17	99:3 229:8
10:25	139:14	apartment	apprehend
32:3	141:10	40:5 66:19	29:6
72:19 75:25	142:1	apologize	apprehended
89:7	143:10	144:14	42:19
106:9	143:16	146:8	apprehending
112:18	149:18	appeal 211:1	15:23
114:18	150:7	appeals 185:6	apprize
	155:16	186:9	108:18
	156:4	211:14	
	158:12		
	160:3		

apprized 77:13	13:22 20:12 28:3 28:3	22:23 34:8 34:9	52:24 53:9
approach 103:24	28:15 31:25 32:6	34:15 34:19 34:25	53:12 56:14 56:18 56:20
approached 125:17 126:3	32:15 34:23 66:19 66:23 70:3 75:1	assigned 14:19 23:21 24:13 27:23 29:5	56:23 57:6 57:11 57:12 57:13
appropriately 54:22	114:15 116:21 129:18	29:20 29:24 32:4	60:7 65:9 65:11 68:13
approving 23:22 24:16 33:20	161:4 172:3 183:16 183:17	32:21 32:23 32:24 32:25 33:20 39:23	68:15 68:22 75:9 76:9 77:12 78:15
approximately 14:11 30:3 31:5 39:2 194:21 206:10 206:16 218:5	areas 28:9 45:23 47:21 armed 93:11 93:11 136:7 arrest 16:18 16:20 17:3 18:7	42:23 42:24 47:12 47:21 48:13 48:14 122:21 200:8 200:9 201:25 204:5 204:11	98:8 122:23 125:9 126:3 126:8 141:18 141:19 142:8 187:4 192:22 193:5 193:8 193:11 198:21
approximation 39:11 206:11	arrived 83:11 112:23 115:7 115:8 116:1 117:18	assignment 26:1 55:23 122:15 122:16	assume 79:20 125:1 189:4
April 15:16 21:10 22:1 50:10 50:16 74:19 84:24 193:20 206:13 206:17 216:1	arriving 104:25 Arthur 7:12 articulate 202:9 aspect 81:13 assault 40:22 assaults 35:19 35:19 assess 89:23 assessed 34:13 assessment	assis 60:12 assistant 9:3 25:9 25:15 25:19 26:16 27:2 27:3 27:6 38:19 43:23 44:8 49:25 50:13 50:15 50:19 51:11 51:12 51:16 51:18 52:6 52:12 52:18	assumed 122:3 assuming 203:3 ATF 29:24 122:14 122:16 122:18 122:22 122:25 123:2 123:5 attempt 143:7 153:6 159:14 attempted
arbitration 211:2 211:4 arbitrator 185:16 201:14 211:2 211:6 area 11:6 11:8 12:1			

152:20	225:5	196:8 198:5	137:4
attempting	authored	198:5 199:9	139:14
153:13	10:13	199:18	145:19
attempts	authority	201:4	152:23
150:8	61:15	201:19	189:1
attention	62:6	204:3	190:24
160:10	62:24	205:22	191:20
160:25	65:7	212:1	203:7 204:1
162:2 163:8	65:17 65:20	212:15	204:18
172:2	76:4	212:18	217:19
attorney 8:13	185:1 185:3	215:6 215:8	awhile 138:25
10:24 10:25	185:4	215:9	217:21
197:3 197:9	185:11	217:13	218:12
197:9	185:19	224:4 224:8	
197:11	203:6 214:5	225:25	<hr/> B <hr/>
197:12	227:11	226:3 226:7	backed
197:13	228:1	227:14	190:1 190:3
197:13	authorization	227:21	background
198:3	36:10	aware 80:5	21:3 209:24
216:16	authorized	82:21	210:3
216:18	88:18 89:14	107:18	210:13
220:20	auto 28:5	108:8 122:4	211:17
221:5 221:9	32:11	219:11	backing
attorney/	automatic	219:14	79:3 79:3
client	197:15	away 25:13	79:6 79:8
220:21	automatically	42:16	190:12
221:1	197:14	43:5	bad 120:23
attorney's	avail 81:14	44:23	barrier 97:9
196:22	available	45:3 45:4	based 22:18
201:10	104:18	97:11	44:24 101:4
202:2	Aviles 7:9	130:19	104:17
205:25	7:17 8:14	131:5	127:12
206:8	8:17	132:21	136:1 138:4
219:17	10:14 10:16	132:25	154:23
August 14:9	188:17	134:11	176:22
35:8 213:10	188:18	134:20	192:6
220:18	188:19	134:24	basically
224:22	194:2	135:2	36:6 60:1
224:22	194:21	135:11	61:5 73:17
224:24		135:24	
		136:11	
		136:23	

127:15	behind 210:14	131:14	84:4 118:21
198:14	bel 131:14	132:5	128:24
213:13	belief 137:3	beneficial	129:2 152:1
basing 155:1	believe 19:14	150:10	157:5 163:7
basis 32:3	19:19	150:12	173:10
43:11 51:20	21:7	benefit	196:5 196:8
146:24	29:25 31:10	211:12	220:23
157:24	34:14	benefits	Bittner 38:22
158:2	35:8 36:1	209:4	black 139:6
BB 67:22 68:4	53:25	besides 10:25	154:10
68:6 83:4	54:1	65:5 122:8	165:5 165:6
83:8	57:24 66:22	best 45:13	165:6 181:4
Beach 7:10	67:1	46:7	blob 164:16
7:11 8:23	67:21 82:25	194:8 194:9	169:18
became 22:5	83:1 83:2	201:12	171:6 171:6
85:6 193:23	89:10 90:14	215:4 215:6	182:7
194:20	91:25	better	block 20:17
219:14	93:8 96:4	77:17 80:19	66:20
become 107:18	98:20 98:23	80:22	blocked
108:8	99:6	81:2	100:13
219:11	102:1	91:10 97:17	blocks 100:16
becomes 186:5	106:13	98:13	board
bef 9:7	114:10	103:24	109:23
beforehand	115:14	134:1	227:19
96:10	119:21	186:22	bodily
begin 135:4	128:23	202:5	72:21 89:11
135:10	129:5 129:6	beyond 27:9	97:13
beginning	129:9	52:6	103:11
21:12 53:25	135:19	biggest 51:22	103:18
57:23 79:21	139:15	58:3	103:18
127:16	139:24	binding 211:2	body 86:14
127:16	142:13	bit 11:2	92:12 93:19
186:1 186:2	143:21	13:18 14:22	94:1 94:5
215:18	200:1 200:2	27:8	115:22
begins 40:7	200:21	27:13 37:11	117:7
99:19 152:9	204:23	51:24 52:10	117:17
behalf 7:16	214:15	66:12	117:25
197:22	222:20	75:4 81:23	123:12
	believed 16:6		123:21
	128:22		123:21
	130:25		

123:23	broad 24:12		captain 25:13
124:8	broader 27:9	C	captains 25:9
124:21	brought	ca 76:4	captured
128:3 128:5	115:22	cadet 14:7	86:14
128:13	115:23	81:25	car 44:23
128:19	Bruegger	cadets 76:5	70:8 95:7
139:3 176:7	7:2 7:8 8:3	cam 86:14	96:6 96:7
183:19	230:14	92:12 92:13	96:7 114:10
bottom 30:9	buddy 195:23	115:21	114:23
171:6 171:7	building 70:8	115:22	116:11
182:7	bullet 97:9	115:23	116:12
brain	bulletin	123:12	116:21
133:18	109:23	123:12	128:4
133:23	bumped 160:7	127:18	155:13
break 30:24	bunch 13:3	128:3 128:4	155:16
31:4 63:7	17:9 19:6	128:5	160:21
76:24	48:1 79:6	camera 70:3	175:5
77:5	116:10	93:19	195:23
144:2 144:5	128:24	94:1	career 26:8
144:12	128:25	117:7	27:19 33:3
180:7	139:22	117:17	careful 92:12
180:10	140:4	117:25	106:1
180:16	burglary 28:4	128:13	Carolina 7:11
212:23	32:11 33:12	139:3	carrier 110:2
213:4	33:14	158:14	carry 88:14
breakdown	35:6	175:2 175:3	203:2 203:5
148:23	36:13	176:7	203:5 204:1
breath 17:4	119:14	cameras	cars 116:10
breeze 116:5	119:21	94:6 94:6	case 10:11
brief	120:10	candidates	16:23
116:16	121:9	22:17 210:4	17:5 17:6
206:25	121:20	capability	17:25
briefed	122:8	149:14	18:2 18:5
112:25	bush 183:1	149:23	18:17 18:22
briefly	bushes 182:25	159:17	19:1 36:4
8:12 113:23	busy 47:7	capacities	36:5
115:14	216:9 217:7	78:19	75:15
bring 34:21		capacity	109:19
Brinker 19:8		107:11	111:12

133:7	22:23	changing	52:3 52:6
144:24	34:8 34:9	164:18	52:8
147:12	34:15	178:6	52:12 52:14
187:16	162:21	chapter 44:20	52:18 52:18
195:24	certain	charge	52:19 52:20
196:4	41:2 72:2	23:16 37:19	52:21 52:24
201:12	162:18	121:12	53:2 53:5
208:17	186:9	122:18	53:6 53:9
211:9 218:4	206:20	charged 40:21	53:13 53:15
218:6	certainly	40:23	53:16 53:17
219:23	72:18 88:11	charging	53:21 53:24
227:24	89:7 97:10	186:5	54:3
cases 17:15	certified 8:4	chart 227:18	56:14 56:22
18:1 18:2	cetera	chases 152:15	57:6
33:16 35:21	37:19 37:20	check 69:10	57:11 57:12
218:23	cha 152:15	210:3	57:14 57:17
casings 138:4	chain 25:5	211:18	57:22
cat 80:24	70:20 108:5	checked 116:2	58:1 58:2
catch	chance 76:24	checklist	58:4 58:6
120:23	change	109:25	58:8 58:9
144:16	23:14 156:5	chest 129:5	58:21
categories	160:16	chief 7:2 7:8	59:2 59:4
60:20	164:5 166:7	17:20 17:21	59:10 59:14
209:12	169:1	18:14 25:10	59:17 59:22
cause 49:24	172:12	25:15 25:15	59:23
96:24	172:18	25:19 26:22	60:1 60:7
101:24	189:14	26:23	60:13 60:16
140:23	195:10	27:2 27:3	60:21 60:21
177:3	195:17	27:5 27:6	60:22
189:21	208:15	30:8	61:2 61:6
226:4	209:9	38:19 38:19	61:6 61:9
caused	209:11	43:20 43:21	61:10 61:15
148:2 192:2	222:11	43:23 43:23	61:22
192:2	changed	44:7 44:8	62:7
200:22	209:10	48:8	62:25
200:24	changes	49:25 50:13	63:4 65:9
201:2	155:23	50:15 50:20	65:19
ceiling	165:25	51:11 51:13	66:3
140:22	166:2 209:8	51:16 51:18	68:13 68:15
center			68:23 74:17
			74:17
			75:9 75:10

76:9 76:9	125:9	134:22	223:4
76:10 77:12	198:21	196:6	223:18
77:12 77:12	209:25	208:13	223:25
78:15 78:16	chief's 38:18	215:8	224:7
78:17	44:11	227:17	227:13
98:8 98:8	46:3	228:12	civilians
107:8	46:15 46:17	citizens	204:9
119:17	77:11	23:23 211:8	204:10
122:23	78:6	city 7:11	213:20
123:6 126:2	78:13	7:19 8:18	clarify 64:17
126:3 126:8	109:19	9:3 9:12	class 14:14
141:15	choosing	30:4	15:10
141:16	114:17	58:19	classes
141:18	chose 54:4	59:5 59:7	13:3 13:6
141:19	Chris 38:23	59:9 59:9	classificatio
142:7 142:8	cir 89:15	59:10	n 207:25
174:8	circle 181:22	60:6	208:2
175:15	circumstance	60:11	classificatio
187:4	20:5	61:1	ns 210:1
192:18	89:17 90:14	61:16 61:23	clear 64:2
192:22	102:8	63:4 66:3	95:10 95:10
193:5 193:8	104:18	66:9 202:23	174:6
193:10	105:22	219:12	cleared 196:2
193:11	114:19	219:13	clearer 169:9
193:14	135:20	219:18	clearly 87:18
193:23	207:19	219:20	97:3 128:17
194:12	circumstances	220:6 227:4	clerical
194:14	17:24 39:21	227:19	204:6 204:7
194:18	43:7 45:5	civil 52:2	213:13
194:20	49:4	52:7	213:16
195:5	73:10	52:16	Cleveland
201:10	74:5	58:4	82:18
201:21	74:25 82:23	58:25 60:17	Clifton 56:24
209:16	88:21 92:24	62:13 62:22	close
209:18	102:11	64:4	112:15
211:7	103:14	64:11 64:15	123:25
chiefs 25:9	105:21	185:7	215:10
25:19 26:16	112:7	185:15	
31:10 56:18	134:11	185:20	
56:20 56:23	134:21	186:6 205:4	
57:7		211:1 216:9	
57:13 65:11		222:18	

closer 116:12 148:8 194:13 194:14 clothes 203:17 cloud 189:24 192:11 clu 121:13 Coast 28:25 29:16 Cochran 7:23 code 22:11 44:20 58:6 60:4 62:15 223:6 COLAs 226:20 227:3 227:10 cold 39:19 college 12:11 12:22 13:9 color 155:23 165:24 166:2 166:7 168:15 172:11 coloration 164:5 colors 160:16 160:21 164:18 165:5 168:15 178:5 178:6	178:7 combine 22:24 34:16 comes 7:24 67:17 82:10 102:24 196:22 213:14 coming 46:4 103:2 157:6 163:9 203:14 211:15 222:18 222:22 command 34:10 68:19 68:24 70:19 70:20 72:14 73:1 108:5 commander 47:13 commands 49:15 comment 55:25 106:25 commission 185:15 185:21 207:23 211:1 committed 37:6 121:20 122:3 common 79:2 communi 35:18 communicate 109:9	communication 79:13 communication s 35:18 110:9 community 32:17 63:11 63:12 comparable 34:23 compare 104:14 106:7 106:10 compared 104:14 comparison 104:22 105:12 competitive 22:15 complaint 20:24 55:24 complaints 24:19 37:2 37:8 47:3 55:2 complete 12:19 207:6 212:3 223:21 completed 187:16 completely 162:18 complex 40:5 66:19 compliance	188:11 complying 33:22 computer 143:1 con 120:10 concern 130:6 188:13 191:23 192:2 226:4 Concerned 143:24 concerning 143:20 concerns 55:22 191:17 191:18 191:21 196:13 201:18 207:4 215:1 conclu 121:13 concluded 205:22 205:24 230:18 concludes 230:13 conclusion 10:10 120:11 121:7 122:2 132:8 132:10 133:12 137:12 141:17 141:20
---	---	--	---

165:20	confirming	187:15	220:15
179:6	60:12	190:20	220:25
184:23	confused	198:3	221:8
conclusions	60:20	201:24	221:14
104:10	Congrats	contacted	conversations
121:3	14:16	95:11 108:9	78:23
121:23	connection	114:6 189:3	220:17
179:9	125:5	189:9	221:6
concurred	Conroe 13:20	190:18	convicted
74:12	consider 64:7	contacts 89:9	208:18
conduct	188:7	contention	convinced
16:8 42:4	considered	55:3	142:7
186:19	64:7	context 178:8	Cooper 115:15
188:4 188:6	considers	continue	116:4
196:23	64:8	139:4	118:15
209:2	consistent	continues	119:2 120:3
conducted	87:20	208:18	122:7
42:8 113:16	88:1 88:4	Continuing	122:18
200:16	156:20	173:12	124:15
conducting	156:21	control 28:12	125:11
16:10	161:12	85:19	125:18
37:2 37:7	162:4	86:7	126:4 126:8
113:18	162:10	146:5	126:14
187:10	162:13	151:25	127:5 127:9
200:13	163:9	167:7	137:1
conference	164:23	167:10	137:19
126:7 127:4	168:5	181:14	139:15
confident	168:12	182:4	141:1
184:17	169:22	conversation	143:21
confirm	170:6 171:3	114:7	145:14
60:6	183:1 183:4	116:15	147:8
60:11	183:18	118:9	147:19
61:2 61:4	184:15	118:13	148:10
confirmed	constable's	130:24	148:24
57:25	210:11	206:23	151:5
58:8 58:9	contact	206:25	158:25
58:20 59:22	16:1 89:4	207:1	copies 229:8
60:3 60:5	109:20	216:24	copy 159:23
60:13 61:16	115:10	219:16	174:7
		220:4	175:14
			175:15

192:9	115:2 116:8	187:2	119:11
229:16	124:12	193:21	122:6 123:7
corner 154:16	124:17	193:22	145:8
155:19	124:18	193:24	193:12
155:21	130:4	198:7 214:3	course
160:24	130:14	214:6	76:25 90:24
182:7 182:8	130:15	215:12	212:24
correct	131:18	218:2 219:2	court 7:12
8:25 9:1	134:4 134:5	219:24	8:4 8:7
14:1 21:5	136:7 136:8	221:2	17:8
21:12	139:18	223:10	229:5 229:7
22:2 24:6	139:19	224:8 224:9	229:11
24:7	141:23	228:7	229:14
25:20	141:25	Correction	229:24
33:4 33:6	142:22	12:6	230:6 230:8
36:14 36:24	142:23	correctly	courtroom
41:12 43:15	143:5	129:10	17:7
43:16 46:20	147:14	cost 227:4	cover 75:6
47:15 47:16	147:22	227:18	coworkers
47:17 48:17	150:3 151:8	council 57:25	15:7
50:16 50:17	152:6	58:20	crashes 17:17
50:25	152:10	59:5 59:7	79:5
51:3	152:12	59:9	crawling
56:16 56:18	152:15	59:10 59:23	130:19
56:19 59:18	152:18	60:3 60:6	131:5
61:24 64:20	153:2 153:7	60:6	132:21
64:21 64:25	153:9	60:11 60:14	132:25
68:11 74:20	153:13	61:1	134:20
74:21	153:14	61:16 61:23	134:24
75:8	159:1 159:9	counsel	135:2
78:18	159:12	7:14 58:8	135:24
80:6	159:18	58:9 103:23	136:11
85:23	159:24	countless	136:23
86:2	172:13	73:11	137:4
88:14 94:10	174:11	138:19	139:14
96:15 99:14	174:18	couple 11:7	145:19
99:15 100:8	178:10	19:21 53:22	create 84:1
101:15	178:13	67:7 90:1	84:2
104:1	178:16	113:12	created 22:24
107:10	178:17	113:14	122:14
110:13	178:19		
113:20	178:20		
	185:22		

122:15	189:12	158:19	64:5 195:12
123:5	cursor 163:18	163:21	195:15
creates 22:19	163:25	163:24	196:1
credence	181:8	165:5 170:8	222:19
210:1	181:11	173:9	223:8 223:9
crime 24:15	181:11	dash 92:12	daytime 33:3
32:16	181:12	94:6 115:21	day-to-day
35:9	181:14	115:22	23:20 24:17
35:14 35:15	181:17	123:12	24:19
35:16 36:12	181:20	127:18	27:9
40:23 122:3	182:1	128:4	33:19 37:19
197:8	cut 26:11	data 189:19	46:25 51:20
crimes 28:4	<hr/>	189:23	51:23 63:10
32:11 32:11	D	190:2 190:3	78:21
32:12 32:12	D.A 220:5	190:5	DEA 29:21
33:11 35:16	D.A.'s 187:17	date 7:9	deadline
36:13 150:6	206:16	Daugomah 7:13	186:10
criminal	215:24	day 21:14	dealing
12:14 45:10	D.W 21:4	21:17	199:11
187:11	21:21	24:4	death 72:21
187:13	D.W.I 15:19	24:10	89:11 97:12
196:16	16:7	33:5 33:5	103:11
196:20	16:23	33:6	103:19
196:25	21:4	43:22	December 12:4
197:7	21:22 21:25	47:2 47:5	12:23 13:13
200:15	22:6	63:25	21:23
201:8	28:16 28:22	102:12	215:17
201:20	28:24	116:1 126:6	219:1 219:2
206:6 209:2	dad 11:14	131:6 131:8	decide 123:15
215:12	dad's 11:14	131:9	210:18
crisis 82:9	daily 32:3	140:20	decision 64:1
criteria	Dan 38:22	195:25	66:1 66:4
198:17	danger 214:13	196:11	66:9 133:16
203:4	214:19	198:6 200:2	133:17
culture 81:5	214:21	209:15	174:17
current 77:17	dark 116:10	209:15	185:9 192:1
81:17 82:8	124:9 143:5	222:20	192:6 202:2
currently	149:17	222:20	210:7 214:2
148:7	149:19	days 47:2	214:9 215:4
		47:3	222:25
		58:10 62:16	

226:8	demonstrates	203:11	134:10
decisions	138:21	204:15	134:21
92:18	demotion	204:20	196:5
225:17	58:11 64:6	204:25	209:24
226:11	Denny's 20:16	205:3	210:12
decision's	depart 81:6	205:12	Deponent
185:14	departed	205:17	30:21 43:19
deemed	53:21	209:23	45:2
212:6 212:7	211:23	210:3	46:20 54:13
default 22:13	department	211:24	54:17
defend 72:20	13:11 13:16	212:14	55:6
defense	13:24	212:17	55:17
166:19	14:5 26:3	215:11	59:9
166:22	27:16 28:18	218:2	65:11 65:14
defenses 56:4	37:10	220:18	71:8
define 28:19	44:6 45:6	221:7	72:13 72:18
definitively	45:23 47:19	224:25	73:6 86:4
75:24 101:1	59:25 59:25	228:6	87:1
110:14	60:4 60:5	departmental	87:12 87:14
159:7	60:15 60:15	188:11	88:4
169:10	60:16	departments	89:17
185:16	63:5	38:13	90:1
206:9	66:10 66:11	depend 45:5	91:13 97:19
delay 217:9	75:11	47:4 74:4	98:23 99:21
218:8	81:6 82:5	74:5 210:9	101:12
delirium	83:17	depended	101:23
82:12	91:8	37:24	102:11
deliver	91:16	dependent	103:8
199:23	150:21	47:2	103:13
delivered	150:25	depending	104:6
186:6	185:13	28:12	104:13
199:22	185:18	52:2 73:9	105:1 105:3
demonstrate	187:6	82:7 227:17	105:8
142:12	187:24	depends 24:23	105:16
demonstrated	194:24	27:19	105:18
131:23	195:4	47:8	105:25
138:11	197:16	73:10	106:18
	200:19	79:9	121:6 121:9
	200:23	88:21	130:8
	203:9	90:7 103:13	131:14
	203:10		132:2
			134:10

135:1	94:23	detectives	67:7
136:14	114:13	112:19	80:14 92:14
138:16	115:25	126:7	98:15
147:16	described	196:17	120:15
148:17	118:20	200:14	121:14
149:8	description	determination	121:15
155:13	40:3	17:1	164:1
156:14	desk 159:9	74:10	168:14
157:1 161:6	despite 45:18	185:21	168:15
161:9 166:9	45:24	determination	182:23
166:18	destroyed	s 46:18	196:5 196:8
166:20	213:15	determine	204:9
166:24	detail 20:4	111:15	226:15
167:18	118:21	194:24	differently
168:1 168:8	120:2	228:1	56:9
171:13	detailed	determined	75:14 76:14
181:16	120:19	39:14	97:16
181:25	120:21	212:17	difficult
182:2	details 54:15	developing	158:17
212:10	detective	43:15	158:20
226:19	10:13	dictate 43:24	217:21
229:12	115:14	died 36:9	dig 62:20
229:21	116:4	difference	Dimitri
230:16	118:15	38:6	7:16 8:13
deposed	119:2 122:7	38:11	76:22
137:19	124:15	58:3	212:20
144:23	125:18	64:16 133:1	217:16
deposition	126:8 137:1	133:4 133:5	direct
7:1 7:8	137:19	208:24	78:20
7:13 10:1	139:15	209:6	109:12
17:10 86:23	140:25	differences	162:2
87:4	143:20	56:6	direction
145:1	145:14	different	27:7
146:13	147:8	23:2	27:11 51:24
146:17	147:19	35:10	63:9
175:11	148:9	36:4	162:3
175:13	148:24	54:25	170:15
175:19	158:24	58:2	177:23
227:24	187:8	60:24 60:25	178:19
230:13			179:12
230:18			
describe			

183:14	210:20	224:4 224:7	dispatched
directly	222:9	224:11	49:5
38:17 38:18	discharged	discoloration	66:18
48:7	49:16	156:5 173:9	197:14
48:16	67:6	discoloration	dispose
119:15	87:22 113:9	s 169:8	110:23
119:20	190:25	discovery	disposed
119:22	210:6	62:17	118:22
dis 91:9	discharging	discrepancies	dispute
disagree	66:25 101:7	94:9 142:16	215:20
50:11	disciplinary	discuss 90:25	distance
120:10	58:5	114:21	123:24
137:23	58:10	114:22	124:9
138:6 138:8	59:1 60:8	125:19	distinction
138:14	60:18 62:14	126:3 126:4	14:13 68:7
138:17	62:16	discussed	district
disappears	64:4 64:23	26:24	13:20
182:5	discipline	85:2	196:21
discarded	24:1 24:2	89:21	201:9 202:2
117:5	24:2	128:18	205:25
123:20	51:25	discussion	206:8
discarding	52:2 52:7	83:25	216:16
113:6	58:5	228:21	216:17
discern 151:6	63:10 63:24	discussions	219:17
158:18	64:1 64:3	83:18 221:9	disturbances
158:20	64:4 64:5	dishonorable	24:15
165:13	64:6 64:7	208:21	divided 27:23
177:5	64:8	208:25	division
178:22	64:11 64:12	209:1 209:7	37:12 37:22
discharge	64:14 64:15	209:22	55:23
208:6 208:9	64:18	210:20	divisions
208:11	65:7	221:25	28:6
208:21	65:15 65:21	dishonorably	31:21 32:10
208:25	66:4	210:6	37:14 55:1
208:25	81:10 81:11	dismissed	document
209:6 209:7	81:12	56:1	186:6
209:13	186:15	dispatch	documents
209:22	222:19	109:21	10:6
210:6	223:4		
210:19	223:18		
	223:25		

done 52:3	dressed	dropped 98:5	99:5
56:8 56:9	112:10	drove 42:16	99:11 99:22
59:21 62:10	drew 122:2	112:12	100:1
64:19 64:24	drinking 40:4	155:13	100:10
76:14	drive 28:14	189:1	100:14
90:4 96:9	40:8 45:4	Dube 7:16	100:24
98:3 149:25	112:16	7:16 7:22	101:5
150:24	112:19	8:6 8:9	101:13
169:13	190:1 190:3	8:13 23:8	101:17
169:14	190:14	30:19	102:2
186:22	driven 190:24	31:3	102:14
196:4	driver	43:25 46:21	103:9
196:17	16:25	54:6	103:15
198:21	40:6 40:7	54:16	104:7
198:23	42:16	55:9	104:20
198:24	43:4	55:19 56:13	105:4
199:5	113:6 113:8	65:4	105:11
200:12	188:25	65:13 65:16	105:15
201:7	190:24	65:25	105:24
201:21	drivers 15:24	66:7	106:20
206:12	16:1 16:4	71:10	107:1 107:5
215:3 230:9	drives 27:20	72:9	121:8
door 70:3	driving 15:21	72:17 76:25	121:17
93:9	43:5 45:3	77:2 77:9	130:11
downturn	155:17	85:12 85:15	131:16
26:10	160:22	85:18 85:22	132:3
draft 186:3	191:20	86:1 86:3	134:17
198:18	drop 71:17	86:8	135:18
drafted 10:13	71:25 72:25	86:10 86:11	136:16
191:13	73:4	86:20 86:24	138:2
198:20	73:25 73:25	87:2 87:5	138:22
200:3	74:1 74:2	87:9	144:1 144:9
drag 190:13	87:24 95:17	87:13 87:16	145:22
draw 121:7	95:23	88:6	146:2 146:4
132:10	96:2	89:19 91:14	146:9
133:12	97:22 99:14	91:21	146:20
137:12	drop-down	92:2 92:5	147:1 147:5
drawing 132:7	140:22	92:7	147:17
drawn 165:21		94:12 94:15	148:21
		94:22 95:15	149:3
		95:21 98:18	149:10
		98:25	149:12
			151:9

151:13	172:1 172:8	due 192:3	duty 200:18
151:19	172:17	195:6	207:5
151:22	172:22	196:14	dynamic 73:15
152:4 153:5	173:1 173:7	dues 197:24	92:21
153:11	173:14	duly 8:3	<hr/>
153:16	173:18	during 15:6	E
154:7 155:7	173:23	39:6	earlier 19:21
155:15	174:3	39:12 58:15	66:12 203:1
156:3	174:11	59:21 61:25	225:4
156:15	174:12	86:23 100:4	early 12:25
157:2	174:20	101:18	19:17 67:17
157:12	174:24	118:3 123:6	69:5
157:17	175:1	125:25	219:1 219:2
157:24	175:10	128:12	easiest 51:18
158:2 158:5	175:20	130:24	economy 26:11
158:9	175:23	132:13	26:12
159:22	176:3	140:5	effect
160:2	176:15	140:17	142:1
160:14	177:17	148:12	208:10
160:19	179:23	192:19	208:12
161:11	180:4 180:6	193:15	228:3
162:1 162:8	180:14	194:3	effectuating
163:15	180:18	194:17	152:5
164:22	181:14	194:19	eight 212:4
165:3	181:19	203:12	212:14
165:18	181:24	205:10	either 18:7
166:10	182:1 182:6	205:14	26:4 33:8
166:12	182:9 183:5	213:9	67:21 68:24
166:16	183:7	223:17	142:19
166:19	212:12	223:17	147:8
166:22	212:22	227:24	147:19
166:25	212:24	duties	203:19
167:7	213:1 213:8	24:13 200:8	210:8
167:11	217:18	200:10	ele 200:24
167:15	217:22	201:23	elected 54:10
167:19	217:24	201:23	201:3
167:22	225:8	204:2 204:4	elements
168:4 168:9	225:15	204:8	44:19
168:11	226:21	213:11	
168:25	228:23	213:14	
169:6 170:5	229:4	213:19	
170:23	229:10		
171:15			

eligibility	54:3 211:25	entitled	148:8 174:9
22:19 22:25	212:5	192:3 197:9	192:14
34:17	212:16	entrance	events 54:9
else 9:20	224:3 224:6	129:18	54:11 77:17
10:19 16:16	encounter	129:21	82:8
37:4	75:7 101:19	129:25	eventually
40:22 41:20	encountered	130:2 130:3	78:16
46:6	72:24	131:1 179:3	152:15
59:16	encountering	equivalent	ever-changing
80:7	72:5	58:12	73:15
80:12 89:12	enforcement	Espinoza 53:8	everybody
89:23	29:12 29:13	57:1 74:17	51:19 69:10
90:4 111:12	89:8 207:23	essentially	114:24
114:16	Enhan 150:19	118:25	135:7 227:5
114:21	enhance	estimate	228:13
114:24	143:18	194:8 194:9	everybody's
115:19	150:12	194:15	33:21
118:12	enhanced	estimation	everything
126:20	143:8	74:7	89:23
126:22	149:23	et 37:19	115:25
136:18	150:6	37:20	136:18
139:14	187:21	evaluate	143:3
149:18	enhancements	95:11 98:9	223:22
191:2 197:8	150:16	evaluated	evidence
197:10	150:18	104:17	86:21
199:15	150:22	133:6 188:6	121:11
203:3	enhancer	evaluating	136:1 136:2
212:17	143:18	74:24 188:3	136:3 136:6
215:2 226:1	174:14	evaluation	146:10
email 229:19	ensure	90:19	146:14
emerged 172:9	45:13	event 54:7	146:17
emergencies	185:11	92:15 102:1	192:7
109:19	entail	102:3	213:14
employed	15:20 16:11	104:17	213:15
13:23	entire 15:3	108:4	evidentiary
30:4	101:19	109:25	146:24
187:6 202:7	102:6	114:20	exact 71:20
204:24	194:12	114:22	213:11
employment			exactly 19:20
9:11			
40:20 41:10			

21:1 74:13	147:3	expert 143:18	93:19
EXAMINATION	149:11	explain 91:10	128:14
8:8	151:9	104:2 104:8	148:19
example	151:11	207:21	161:17
79:8	166:11	210:23	162:16
93:18 93:24	166:21	explained	fact 93:3
201:17	167:9 174:3	128:23	94:1
excessive	174:7	129:2	102:4
18:7	174:21	130:13	104:22
18:12	174:22	explanation	126:4
20:2 132:13	174:23	133:10	158:19
exchanged	174:25	134:3 142:5	factor 93:14
40:5	175:8	explanations	factors
Excited 82:11	175:21	130:10	88:7 89:1
excuse 128:3	179:24	extent	facts 39:22
excused	180:1 180:5	27:20 114:2	101:25
230:16	180:14	114:7 191:8	104:17
executive	180:21	221:14	106:10
60:2	181:18	extra	116:17
exercise	182:3	202:16	226:15
34:11 169:3	exist 45:9	207:5	factual
177:15	exit 129:18	ExxonMobil	20:4 94:9
exertion	130:1	11:16	failed 18:8
128:18	exiting	eyes 54:23	18:8 20:18
154:11	138:12		fair 107:16
exhibit 85:10	expect 169:22	<hr/>	125:1 164:3
85:14 85:17	expectation	F	fairly 41:2
85:20 85:24	72:15 72:23	F-5 221:10	85:5 184:17
86:2 86:5	72:25 89:6	221:16	Fairmont
86:8 86:9	expectations	221:17	66:20
86:13 86:20	72:5	221:21	fall 68:23
87:6	expected	fa 106:8	falling
91:24	46:15	face 124:7	162:10
92:3 92:4	85:1 91:6	124:7	163:10
92:4 92:6	91:7	207:10	164:24
145:22	experience	Facebook	familiar 8:20
145:24	78:22	109:6	family 114:1
146:3 146:7	150:14	109:12	faster
146:10	197:20	facing	

72:16 88:11 98:1 fear 72:20 federal 29:12 188:1 feel 103:22 191:24 feeling 114:24 fell 51:20 76:12 felon 203:4 felt 215:6 fence 49:17 67:2 67:4 70:5 70:8 84:11 96:15 96:19 97:3 97:8 97:11 103:1 field 16:12 17:1 92:13 92:14 123:24 figure 31:15 121:19 141:10 217:9 file 212:5 212:16 215:25 221:15 221:21 224:3 224:6 224:18 224:19 filed 111:4	219:5 219:7 files 211:19 211:25 final 63:25 64:22 65:20 66:2 66:4 66:9 179:20 185:10 185:14 211:14 215:4 financial 32:12 finding 69:14 121:13 findings 205:24 finish 179:8 229:6 finished 12:25 15:9 fire 59:11 59:11 59:12 62:10 88:24 133:19 133:20 156:20 156:21 161:13 176:5 176:5 firearm 68:2 68:3 68:7 68:10 72:6 72:22 72:23 83:4 97:13 98:2 100:19	101:2 190:25 fired 42:17 70:6 71:19 131:5 132:20 137:5 145:11 145:16 145:18 145:20 162:3 189:2 firing 96:3 98:2 133:21 firm 7:23 34:21 first 8:3 14:6 16:1 23:17 24:10 24:25 24:25 25:3 40:1 40:2 40:14 43:14 75:19 100:22 106:23 107:18 131:3 132:18 132:20 135:8 135:13 135:13 137:6 137:14 137:22 145:11 145:16 145:18 148:11 148:15	149:6 153:6 167:13 211:7 219:11 222:14 fist 20:6 five 17:14 27:18 27:21 62:19 71:22 138:3 138:11 151:20 193:6 193:12 194:7 194:9 194:10 194:13 194:15 194:17 194:18 194:21 195:13 195:15 227:3 fixed 78:4 flailing 177:11 flash 161:14 161:15 162:14 165:10 165:12 166:4 178:16 178:18 183:9 183:24 184:18 flashes
--	---	---	---

177:18	187:1 187:9	103:12	65:6 79:13
flight 144:16	forced 222:24	104:5	forth 26:6
flopping	forces	104:12	127:11
169:25	28:17 28:23	105:2	213:24
Floyd 211:4	foregoing	105:14	218:23
fluctuated	230:18	106:16	Forty-four
26:17	foremost	106:17	146:2
fluctuates	211:7	121:5 130:7	forward
30:13 30:16	forever	131:13	95:3 95:4
focused 24:13	61:9 135:16	132:1 134:9	209:5
folks 116:12	forgot 85:12	134:25	frame 92:25
force 15:19	form 23:7	136:13	92:25 93:15
16:2 16:7	43:17	138:1	93:15
18:7	45:1	138:15	139:25
18:12 18:17	46:19	147:15	140:1
18:18	54:5	148:16	140:12
20:2 20:5	54:12	149:2 149:7	140:12
20:13	55:5	149:24	140:15
21:4	55:16 56:12	156:25	140:15
21:22 21:25	59:8 65:2	157:23	140:15
22:7	65:10 65:24	158:1 166:8	143:3 143:3
23:15 23:16	66:6 71:7	167:17	159:15
28:16 28:20	72:8	167:25	159:15
28:24	72:12	168:7	163:1 163:2
29:1	73:5	170:22	163:9
29:10 29:16	87:11	171:12	163:10
37:5 37:9	88:3	171:21	164:19
45:7 45:8	89:16 89:25	212:9	164:20
45:11 45:17	91:12 95:20	221:11	171:17
45:20 45:25	97:18 98:17	221:18	171:17
45:25	98:22	221:24	172:13
74:8	99:4	222:2	172:19
74:10	99:10 99:20	226:18	frames 165:19
76:6	99:25 100:9	formal	freeze 172:22
78:22	100:23	38:12	fresher 148:7
84:3	101:11	44:9	Friday 7:4
91:17 101:9	101:22	46:14 46:22	222:21
123:5	102:9	52:2 58:5	friends 47:23
132:13	102:10	formally	47:24
185:25	103:7	40:24 53:16	friendship
		53:17 61:22	
		forms 37:5	

15:5	66:6 71:7	158:1 158:3	146:22
front 66:23	72:8	158:6 166:8	gladly 171:22
70:2 70:3	72:12	167:17	glance 68:4
93:8	73:5	167:25	goals 27:7
96:12 129:8	76:22	168:7	gone 26:6
129:14	77:1	170:22	58:19 71:20
129:15	86:22 87:11	171:12	151:1
130:23	88:3	174:5	187:25
131:2 131:4	89:16 89:25	175:12	187:25
132:18	91:12 95:20	212:9	188:1
133:3	97:18 98:17	212:20	205:23
154:25	98:22	212:23	211:15
179:3	99:4	212:25	213:24
full 180:17	99:10 99:20	217:16	218:22
function 37:7	99:25 100:9	217:19	gonna 44:12
future 103:25	100:23	226:18	44:12
	101:11	228:25	gotcha 22:8
	101:16	229:11	31:14 41:20
	101:22	229:12	44:3 50:9
<hr/> G <hr/>	102:9 103:7	229:13	50:22
game 97:21	103:12	229:13	150:24
general 37:22	104:5	229:18	199:20
generally	104:12	229:18	222:3
78:1 199:17	105:2	229:23	gotten
gentleman's	105:14	230:5 230:7	55:13 58:17
229:15	105:17	230:10	58:20
gets 89:3	106:16	girlfriend	70:4 112:25
89:8 197:13	106:25	114:6	117:24
getting 60:19	107:3 121:5	given 34:14	190:24
106:12	130:7	35:9	195:11
Giles 7:18	131:13	73:25	208:14
7:18 23:7	132:1 134:9	74:1	227:6
43:17	134:25	97:22 98:14	government
45:1	136:13	104:22	22:11
46:19	138:1	197:2 197:4	58:6
54:5	138:15	208:22	62:15 223:6
54:12	146:12	228:19	governs 22:12
55:5	147:15	228:20	205:4
55:16 56:12	148:16	giving 9:21	grab 179:24
59:8 65:2	149:2 149:7	61:5	
65:10 65:24	156:25	73:14 102:4	
	157:16	127:11	
	157:23		

grade 11:19 34:17	177:1 177:6	68:5 68:6	204:19
graduate 12:3 12:21 14:13	group 30:14	68:6 70:3	guns 49:6
graduated 12:9	guess 19:20	70:5 70:6	69:25 96:11
12:23 13:12	22:1 22:5	71:6	102:20
13:13	22:13 24:25	71:17 71:18	106:5
14:9 14:14	26:24 28:19	71:25	gunshots
graduation	36:10 37:15	74:1 83:1	139:5
81:24	38:20	83:3 83:4	guy 120:2
grainy 149:19	44:4	83:8	120:21
grand 197:1	44:21	87:21 88:10	guys 15:5
217:11	46:2 46:7	88:12 88:23	81:15
218:6	50:23 58:16	89:4 89:9	120:23
218:20	60:19 71:11	93:9	140:19
great 94:6	77:25	94:24 96:13	215:25
grew 11:3	81:5	97:5	guy's 158:3
11:4	81:16 81:22	97:22 100:3	158:6
ground	85:19 104:3	100:7	
73:18	116:20	100:16	
117:12	134:1	103:3	
117:15	134:21	103:10	
117:18	138:23	104:23	
117:19	148:9	106:2	
117:22	151:25	106:12	
118:3 118:8	guessing	133:19	
128:14	192:24	134:12	
138:13	guidance	135:2 135:5	
139:14	73:13 98:14	135:8	
154:25	guide 103:23	138:12	
158:15	guilty 41:3	156:20	
162:5	Gulf 28:25	156:21	
163:11	29:16	161:13	
168:13	gun 49:6	171:11	
173:25	49:12 49:12	176:5 176:5	
175:3	49:14 66:23	177:21	
176:11	66:25	177:24	
176:19	67:4	184:16	
176:25	67:13 67:19	202:22	
	67:20 67:20	202:25	
	67:22 67:23	203:5 203:6	
	68:1 68:4	203:12	
		203:21	
		204:1	

H

ha 223:2**Hagood** 7:12**hair** 169:25**half** 74:2**hall** 7:11

8:12

hallway

122:24

123:4

Hamilton

10:10 127:1

127:2

hand 49:12

49:13 49:15

66:25 67:14

70:6

71:19

72:6

72:24 83:3

87:22 88:10	177:10	hard 119:25	184:15
88:12 88:20	179:16	120:8	184:19
88:23	hang 15:7	120:14	health 82:9
89:5	hap 43:10	120:18	hear 75:5
89:10 93:10	happen 72:3	121:1	139:4 139:5
93:20 94:25	75:15 75:16	149:15	151:23
96:13	75:18	161:21	154:10
101:20	happened	190:1 190:3	154:11
133:18	19:12 19:20	190:14	180:2
222:24	49:24	Harding	188:17
handle	50:3	216:10	188:23
81:18 91:11	50:10 66:13	216:12	217:21
98:10 98:13	69:8	216:13	229:14
98:14	69:14 69:15	217:7	heard 55:12
handled 75:13	69:19 71:13	harm 103:11	hearing 125:5
90:10 90:21	72:3	103:18	125:23
91:3	74:13 74:18	103:18	139:2
91:18 97:16	74:19 77:24	191:25	He'd 158:4
98:20	84:24	having	help 107:1
99:7 106:14	85:5	54:20 72:22	230:1
106:14	102:1	86:17 93:12	230:11
handles	107:20	201:11	helped 43:2
150:16	107:25	206:2	helping 27:10
150:21	112:23	208:10	helps 163:4
handling 55:1	124:18	211:12	171:20
hands	127:8	head 59:25	hereinafter
131:12	128:22	59:25	8:4
131:21	132:7 132:8	60:4 60:5	here's
131:24	132:11	60:15 60:16	43:21 132:7
134:19	132:22	167:24	132:8
134:24	136:14	168:5	132:11
137:3	136:17	169:21	he's 7:24
140:16	136:19	169:22	87:1
141:6	137:17	170:7	95:11
141:22	142:24	170:17	96:7 100:12
142:12	happens 101:3	173:3	119:11
143:23	133:21	177:11	119:11
147:10	153:17	182:18	119:25
147:21	harassing	182:20	
148:11	35:17 35:18	182:21	
162:5		184:2	

120:1 120:8	209:19	123:18	175:14
153:1 179:5	210:15	212:21	identifying
179:12	history 30:2	house 96:12	15:23 93:2
211:14	hit 20:7 67:7	112:14	ignore 137:16
211:14	67:8	Houston	I'll 44:13
230:1	131:3	11:6 11:8	44:13 71:11
hey 43:21	132:23	12:1 12:2	90:18 91:15
73:18 76:12	218:22	12:12 34:23	93:18
76:22	227:2	188:1	102:15
141:21	hold 179:24	216:13	102:15
197:18	holiday	hundred	102:15
217:16	125:15	206:20	102:15
227:7	home 125:2	hurry 206:4	102:16
hi 207:24	homeowner	hypothetical	134:1 157:5
hierarchy	66:22	101:24	157:18
25:4	homicide 36:1	102:4	158:21
high 11:21	homicides	102:18	158:22
11:24 11:25	35:17 35:24	102:18	158:23
12:10 34:10	honestly	hypotheticall	159:20
194:11	20:20 116:4	y 208:17	163:4
highlight	141:11		167:20
146:5 146:8	honorable	<hr/> I <hr/>	168:22
Highway 20:17	208:4 208:5	idea 15:9	168:23
hindsight	208:10	15:11	170:2 170:2
92:16	208:25	84:8 110:22	171:17
hindsight's	209:6 210:5	111:5	171:22
90:2	210:19	164:25	171:22
hip 203:22	221:25	identical	220:22
hir 209:17	222:9	118:16	222:11
hire 30:14	honors 14:13	identificatio	223:22
30:15	hospice 36:5	n 87:7	229:2
hired	hour 76:23	147:4	229:21
143:19	108:2 108:7	175:22	I'm 8:13
209:21	112:15	identifies	15:12 19:19
hiring 143:17	112:16	121:10	20:22
174:14	hours 49:24	identify 7:14	41:2 43:1
209:17	82:3 113:12	44:7	44:3
209:18	113:14	45:23	44:25
		46:5 133:16	45:2 46:5
			46:9

46:10	164:11	223:23	42:13 66:17
55:6 55:7	164:13	224:5	75:2
55:10 55:11	166:9	226:19	75:12 75:22
55:11 56:10	166:14	226:20	82:16
60:9	166:22	227:23	84:7
60:19	166:23	227:23	90:24
72:2	167:2 167:5	image 150:9	91:3
75:17 84:13	167:18	170:16	94:17 96:23
85:9	168:19	179:18	100:4
85:10 85:24	169:16	immediate	107:12
86:12 87:14	169:16	114:15	174:15
94:12 94:13	170:1	immediately	223:2
98:6 98:7	170:19	13:8	incidents
102:3 107:1	171:16	96:10 99:17	37:9
107:12	175:7 175:8	imminent	75:21 77:14
112:22	175:25	72:21 89:10	77:23 91:9
115:6 122:4	176:20	103:18	include 32:2
135:6	176:22	103:18	includes
141:11	176:22	191:25	31:10
142:20	177:8 178:3	immobile 36:6	including
144:15	179:6 179:7	impaired	59:17 65:20
146:22	180:1	15:21 15:23	65:21
146:22	180:19	impasse 142:6	inconsistent
146:23	181:3 181:8	implemented	146:19
148:22	181:10	195:4	incorporated
148:24	182:16	important	195:5
151:14	188:18	63:19 81:10	incumbent
151:25	192:21	137:13	210:2
153:21	193:18	211:21	indefinite
153:24	194:5	impose 222:19	58:11 64:5
154:10	194:11	223:18	indefinitely
155:4	194:12	223:25	59:13 185:4
155:25	195:1	incentive	186:8
156:9 157:3	197:19	210:21	201:11
157:8	199:14	incidence	202:4
157:15	201:10	75:25	208:14
161:3	205:7 205:9	incident 10:7	210:25
161:23	206:20	41:21 42:12	independent
161:23	218:21		13:20 70:23
162:18	219:9		
162:24	220:16		
163:1	220:23		
164:11	221:19		

189:5	102:12	109:6	38:4 39:1
indicate	105:19	109:12	39:7
87:20	216:15	instances	39:23 42:23
indicated	229:20	122:2	42:25
71:5 211:25	informational	instruction	43:7
212:5	46:12	74:1	43:12 43:13
212:16	informed	instructor	44:6
indicted	77:21 115:1	76:15	44:10
45:10 202:7	124:2	intended	46:3
215:15	132:12	222:15	46:23
216:14	137:2 220:6	intentionally	47:1 47:5
216:19	initial	134:7	47:10 48:18
218:25	116:11	interact	49:20 68:23
219:23	187:14	214:22	71:3 78:2
indictment	191:14	interacting	196:18
216:4	initially	214:9 215:7	199:22
individ	130:22	interaction	200:15
134:23	217:5	47:18	205:21
individual	initiate	207:13	internally
49:11 87:24	185:9	207:17	143:14
89:4 134:19	injuries 79:1	interactions	intervention
134:23	191:7	50:24	82:9
135:23	injury	119:23	interview
individuals	72:21 89:11	123:1	16:25
88:19 127:5	97:13	207:16	42:1 42:2
188:14	In-service	interest	52:13 71:1
Indonesia	80:10	151:14	interviewed
11:10 11:18	inside	interim 60:13	192:5
influencing	200:8	60:21 60:23	interviewing
187:13	200:10	61:2 61:3	16:13
inform	200:18	77:12 78:16	intoxicated
77:19 78:20	201:22	107:8	16:4 16:6
93:12 99:13	201:23	193:14	17:2
222:14	202:11	internal 10:5	intoxication
informal	202:15	10:8	16:15
64:18 65:14	204:5 207:5	36:19	intoxilyzer
information	213:13	37:1 37:9	16:21
55:14 77:17	214:22	37:12	inves 37:7
	Instagram		investiga

205:21	202:1	58:11 64:6	jail 17:3
investigate	205:21	involve 43:4	Jan 205:14
35:16	206:7 207:3	involved	January 7:4
121:10	207:6	22:22	7:10
investigating	210:13	39:6	12:11 21:13
142:9	212:3	48:20 48:23	21:18 57:25
200:14	214:25	51:25 68:19	61:17 61:25
investigation	215:5	75:1 104:23	62:2 66:8
10:11	215:10	112:6	193:24
16:8	215:12	114:14	194:1 194:2
16:11 16:23	223:20	115:5	200:1 200:4
40:17 41:24	investigation	191:10	204:22
42:4 42:5	s 27:25	195:6	205:14
42:8	28:1 32:7	195:10	205:15
42:22	32:19 32:24	195:21	206:15
43:1	33:10 33:15	196:23	206:23
68:12 68:21	33:20	198:15	207:14
68:25 70:15	35:5 37:3	212:6	213:9
90:20 113:2	37:8 42:7	involving	215:19
120:11	47:4	42:14 66:13	216:19
125:6	48:19 68:22	81:16 82:16	217:11
125:23	74:15 120:1	iron 67:2	219:1 219:2
125:24	121:16	67:4	223:2
133:13	126:25	isn't 93:23	223:24
178:9	196:15	isolated	Jerry 57:10
184:23	investigative	166:13	57:15
187:11	28:6	issue 224:10	job 26:1 29:5
187:12	32:10 55:23	issues	78:5
187:13	investigator	54:14 54:20	jobs 202:16
187:14	43:1	54:21 55:12	207:5
196:17	investigators	I've 17:20	joining 7:23
196:19	28:2	71:22	Joshua 7:2
196:20	33:14 33:19	106:18	7:8 8:3
196:24	35:10	138:19	230:14
196:25	38:5 38:7	138:25	ju 55:15
196:25	112:19	229:25	judge 92:22
197:7	121:6		judgment
200:12	125:11		225:25
200:13	150:3		226:4
200:15	174:19		
200:16	involuntary		
201:7 201:9			

July 26:14	188:11	knew 41:19	219:1
31:19	194:24	113:1	later 22:21
51:7	juvenile	117:16	49:20
51:14 56:14	32:10 82:25	125:13	60:3
145:2 148:6	juveniles	127:11	212:4
200:21	32:10	215:22	222:11
204:23		knocking 93:9	latitude
204:24	<hr/> K <hr/>	knowledge	73:14
205:15	K-9 32:2	93:13	law 29:12
207:14	K-A 40:12	150:12	29:13
222:20	Kazz 40:11	197:18	45:7 52:7
223:11	K-A-Z-Z 40:11	217:15	52:16
223:24		220:12	58:4
224:21	Kevin 57:2	known 33:11	58:25 60:17
224:23	57:3 57:8	35:15 79:13	62:14
224:23	key 137:13	<hr/> L <hr/>	64:8
jump 35:2	keyboard	labeled	64:12
jumped	85:19	169:11	89:8
96:15	kicked 20:8	169:21	98:24 186:4
102:19	killing	184:19	207:23
103:1 189:1	113:10	lady's 36:5	211:5
June 21:7	kit 106:6	laid 186:9	211:18
33:8 35:7	knees	large 27:20	lawful 186:20
52:25	131:12	largest 31:23	laws 201:17
203:18	131:21	31:25	206:2
jury 197:1	131:24	Larry 7:22	lawsuit
207:21	134:20	last 19:14	8:14 8:16
207:22	134:24	26:14 32:20	8:17 8:20
217:11	137:4	53:22 101:2	18:24
218:7	140:17	165:19	19:5
218:20	141:6	171:16	19:12
justice 12:14	141:22	196:7	20:1
justified	142:12	201:13	111:4
90:6	143:23	201:18	111:10
90:11 101:8	147:11	209:10	219:4
102:7 132:5	148:11	215:1	219:11
134:22	162:5	late 19:17	219:14
135:14	179:16	67:17 219:1	219:25
136:12			lawsuits
179:7			17:20
186:20			

layer 43:14	191:13	37:11	126:23
laying	195:12	39:5	126:24
124:5 186:3	195:25	50:22 57:21	127:1
lead 22:5	198:10	71:11	141:13
42:25	198:14	72:4 75:4	187:3
leading	198:14	75:18 77:25	lieutenants
102:12	198:18	77:25 81:22	25:9
105:22	199:25	112:2	25:18 25:22
learn 77:22	200:4	127:19	25:23 26:13
216:15	207:19	127:25	26:25
learned	leaves 228:13	136:25	27:4 31:17
104:10	leaving 137:6	136:25	light 50:3
least 17:16	137:13	136:25	69:6 161:10
17:19 28:10	203:10	138:23	165:5 175:6
29:4 30:2	215:11	139:17	181:3
39:24 49:12	222:17	163:4	lighter 165:6
49:23	led 54:7 56:4	173:15	168:15
50:5	left-hand	173:15	183:2
52:17 54:22	163:10	174:3 193:3	lighter-
55:22 58:20	legal 197:23	193:3	colored
60:13	legislative	220:22	169:18
63:7	209:10	223:1 223:1	lighting
72:19	legitimate	225:8	162:19
78:4	133:10	letter	lights 95:9
87:18	133:14	186:3	96:7 143:2
93:8 94:5	134:18	191:13	likely 191:6
95:10	lengthy	200:2	limitations
105:21	218:18	222:12	94:7
111:1 113:1	less 38:12	letters	limited
119:15	104:24	52:4 64:10	105:19
125:13	194:7	level 43:14	203:4
130:24	218:13	175:5	line 23:17
130:25	218:15	lieu 41:8	24:10
131:15	lesser 65:6	lieutenant	25:1 25:3
136:1	224:10	25:15 36:23	lines 46:1
195:25	let's 14:21	37:21 37:25	118:1 146:6
198:16	15:12 27:13	38:21 47:11	147:6
leave 9:11	30:19 35:2	48:11 48:12	147:24
30:14 53:15		51:2	
123:15		74:12	
		122:23	

list 22:19 22:25 34:17 109:25 Listened 112:17 litigation 218:11 little 11:2 12:25 13:18 14:21 20:3 20:4 27:8 27:13 37:11 51:24 52:10 66:12 75:4 81:23 84:4 95:3 95:4 118:21 128:24 129:1 152:1 157:5 163:7 173:10 196:5 196:8 217:19 220:22 lived 11:6 13:21 living 227:4 227:18 loading 93:17 local 22:11 29:12 58:6 62:15 223:5 located 7:10 49:11 66:24 70:4	long 9:4 11:11 14:8 15:14 21:6 33:7 35:5 36:20 51:6 52:23 57:22 62:12 63:6 72:1 76:25 83:11 91:13 113:11 175:14 193:10 193:19 200:9 200:17 216:3 217:3 217:6 218:5 218:10 221:13 222:12 longer 76:23 185:12 201:22 lost 60:10 lot 36:7 38:6 47:6 55:15 63:13 80:23 115:18 130:10 135:6 135:7 210:1 220:20 lots 120:23 loved 13:22 lower 129:9	155:18 155:20 160:24 lunch 63:7 144:2 144:12 luxury 92:16 <hr/> M <hr/> machines 36:7 mad 207:8 207:9 main 55:3 80:16 major 12:13 32:6 maker 64:1 66:2 66:4 66:9 manager 9:3 managing 54:22 55:4 mandatory 82:6 manpower 27:20 March 13:11 13:16 Mark 7:12 8:1 marked 85:10 86:12 96:6 96:7 167:23 175:8 175:21 180:21 marker 158:22	168:2 Marshals 29:19 Martin 42:14 42:17 mates 47:24 math 31:15 matter 7:9 227:1 Mauricio 10:13 may 21:7 33:8 35:7 38:5 38:10 43:19 49:24 55:13 79:6 79:7 79:17 81:2 198:24 217:19 maybe 25:12 49:2 50:2 70:8 76:12 80:19 80:21 82:8 86:19 98:4 98:5 114:19 118:21 122:12 122:18 123:3 154:25 155:9 166:5 181:3 mayor 54:14 54:20 54:23 55:7 55:10 56:4 56:8
---	--	---	---

59:11 60:2	127:16	148:12	217:20
mayor's	131:11	149:4	middle 93:6
55:8 57:20	133:9	meets 44:19	106:7
McCullough	133:21	member	215:17
11:25	133:25	23:15	midline 129:6
McGregor	134:14	39:7 185:12	Mike 52:22
38:23	135:1	members 29:20	56:23
mean 25:17	135:15	memo 198:10	mind 41:22
37:13 39:20	137:10	198:12	67:17 82:10
44:10 44:13	149:19	198:19	84:21 84:21
44:14 44:16	161:18	199:9	175:12
45:4 46:2	165:24	199:21	mine 174:19
46:6	168:15	memory	minimum
47:24	168:17	145:5 148:6	195:12
48:7	169:12	219:8	minor 24:18
48:13 55:15	174:19	mental 82:9	minutes 42:19
56:7 61:8	191:22	mention	77:1
63:14 63:16	193:17	142:15	108:7
67:3	207:22	mentioned	151:15
73:22 73:23	208:13	187:19	151:20
73:23 77:22	208:16	206:2	161:24
82:4	210:10	210:24	163:5
87:15	210:23	230:2	212:25
89:6 90:2	215:13	mere 101:19	225:9
90:22 90:24	means 61:9	message	Mis 152:14
96:24	media 91:21	84:5 133:18	misconduct
97:2 97:3	109:3 109:5	messages	62:16 62:17
97:21 97:21	109:9	108:23	62:18
101:23	medications	109:13	63:1
102:13	9:19	111:11	186:2 187:4
104:6 105:8	mediocre	190:8	223:9
106:9	227:2	Messenger	misleading
107:25	meet 14:23	109:12	155:22
119:8	27:4 76:4	met 8:12	misspoke 76:2
119:17	79:24	62:13	mo 86:20
119:19	125:10	198:17	modified
119:20	meeting	200:7	174:10
120:16	132:14	microphone	
121:9	147:9		
123:17	147:20		
127:15	148:6		

moment	27:10 86:20	165:10	184:19
85:21	146:10	165:12	national
86:6 92:1	161:23	166:4	77:13 85:7
145:25	164:4 171:6	177:18	nature
151:12	173:9	178:16	18:16 35:20
153:1	173:12	178:18	116:14
153:12	179:20	183:9	navigate
153:18	moved 24:4	183:24	73:14
154:9 165:9	128:1 160:7	184:18	nece 79:7
Monday 92:17	175:10	Myrtle 7:10	necessarily
monies 208:19	195:13	7:11 8:22	43:12 130:9
month 123:3	movement	myself 53:6	135:12
months	171:3	126:8	necessitate
14:11 48:12	moves 176:17	126:18	79:7
53:6	movie 179:15	141:13	news 77:13
61:19	moving	187:5	85:7
62:3 188:14	44:23 164:6		ni 194:1
193:12	164:17	N	night 14:19
193:13	169:8	Naegeli 7:13	15:13 39:19
212:4	169:18	narcotics	47:12 47:13
212:14	176:6 176:8	28:8	47:13
223:7	176:11	29:20 32:12	50:3
223:18	177:10	113:7 117:3	68:14 69:12
morning	177:11	118:21	93:7
8:10 69:6	178:5 181:8	narrating	106:7
92:17	181:9	141:1	107:22
144:19	181:16	narrowly	113:12
191:12	181:20	24:13	113:22
192:2	181:21	NASA 187:25	115:24
mother 36:5	181:23	Nathan 145:10	124:12
36:8 36:9	181:24	147:10	124:22
motion	multiple	147:20	124:23
92:20	158:25	148:10	124:25
93:1 93:2	mute 87:1	148:14	188:20
93:14 94:17	146:11	149:5	nights
177:9	muzzle 161:14	Nathan's	48:12 48:13
mouse 172:4	161:15	167:23	48:14
182:5	161:17	173:3 184:2	nighttime
move 15:17	162:14	184:10	51:4
	162:16	184:19	

nin 13:16	53:25	86:21 86:22	168:7
nine 26:14	54:1	87:3	170:22
31:18 31:19	56:15 57:23	87:11	171:12
44:20 48:12	57:24 61:17	88:3	175:10
48:24	62:23 74:22	89:16 89:25	212:8
Ninety-four	107:6	91:12 95:20	226:18
12:7	193:20	97:18 98:17	objections
nobody	216:19	98:22	146:21
58:17 58:24	216:22	99:4	obs 100:2
59:16	217:25	99:10 99:20	observations
218:22	219:19	99:25 100:9	120:7
nominated		100:23	obtaining
60:1	<hr/> O <hr/>	101:11	62:11
normally	Ob 212:9	101:16	obviously
16:25 108:4	obey 49:15	101:22	30:13 31:22
199:12	object 23:7	102:9 102:9	48:7
Norman 7:18	43:17	103:7	occasion
146:11	45:1 106:16	103:12	14:23 122:8
157:25	106:17	104:5	Occasionally
229:21	106:25	105:2	108:24
notes 126:12	107:3 145:3	105:14	occasions
nothing 46:14	146:12	105:17	122:6
46:22 48:16	175:13	121:5 130:7	occur
79:20	176:8	131:13	219:17
106:22	176:24	132:1 134:9	223:7
160:4 209:8	177:1	134:25	226:22
212:5	177:23	136:13	228:9
212:15	183:10	138:1	228:10
notice	212:9	146:11	occurred
78:21 79:11	objection	146:21	62:23 81:16
noticed 78:3	43:18 46:19	146:25	84:7 84:9
notification	54:5	147:15	84:19
109:25	54:12	148:16	85:2
notified	55:5	149:2 149:7	92:15 104:3
110:1 114:1	55:16 56:12	156:25	126:2
November	59:8 65:2	157:16	127:20
35:12 36:18	65:10 65:24	157:23	130:13
50:17 53:19	66:6 71:7	157:25	131:17
	72:8	158:1 166:8	132:22
	72:12 73:5	167:17	
		167:25	

133:2	187:7	55:25 58:16	100:17
142:13	offering	59:1 59:6	100:21
145:1 145:6	228:21	59:11 59:12	101:7
145:7	Offi 186:12	59:13 59:19	101:21
149:16	office 7:23	62:10 62:25	102:6
192:19	38:18 44:11	66:14 66:24	102:13
192:23	46:3	67:6 70:6	102:24
193:7	46:15 46:17	71:6	103:2 103:2
193:15	77:11	71:13 71:16	103:3 103:4
194:3	78:5 78:6	71:24	103:5
194:16	78:13 143:1	72:5 72:7	103:11
206:15	187:17	72:24	103:17
220:17	196:22	73:2 73:3	103:23
223:2	199:11	73:23	104:23
occurring	201:10	74:7 75:1	106:14
62:17 62:18	202:2 206:1	75:7	107:13
151:6 166:3	206:8	75:12	112:5 113:8
166:7	206:16	76:1	113:9
178:22	210:11	76:11	113:15
occurs 73:17	215:25	79:1	113:21
October 9:6	217:8	80:20	114:10
9:7 9:13	219:17	83:1	115:5 116:2
13:25 21:20	officer	83:11 84:12	116:18
22:7 29:4	7:20	86:14	117:6
34:4	14:19 14:23	88:9	118:15
36:21 47:12	15:14 15:25	88:13 88:24	128:12
47:15 57:13	16:5 19:4	89:3 89:7	128:13
219:8	19:8	89:8	130:18
219:21	21:25 25:18	89:13 90:10	130:19
220:3	29:24 31:16	90:12 90:13	131:11
off-duty 40:2	38:1 39:6	90:17 90:20	131:24
40:6	40:2 40:6	91:2 91:9	133:15
offenders	40:8	92:19 92:19	134:7
28:25 29:16	41:11 41:15	93:10	134:19
offense 40:21	41:16 42:14	95:6	134:23
45:11	42:17	95:16	135:23
222:20	43:5	97:4	136:4 136:9
offenses 29:7	44:22 47:15	97:12 97:15	137:1 137:4
offer 17:3	49:8	98:3	138:12
186:24	49:11 49:13	98:13	142:16
	49:15 50:24	99:7	143:21
		99:18 100:3	145:10
		100:7	148:18

152:5	200:17	20:19 23:21	195:10
152:14	201:13	23:23 24:11	195:21
152:19	202:18	24:12 24:20	Officers
153:20	202:25	24:21	202:18
154:15	203:5 204:2	25:8	offices
154:23	204:5	25:14 27:22	210:10
155:3 157:7	205:12	28:13	officially
158:11	205:15	29:5 30:4	53:21
158:24	205:17	37:15	oh 12:25 35:1
160:5 160:6	206:24	43:9	61:7
176:6	208:22	44:17 45:16	68:15
176:18	209:21	45:19 45:24	87:2
176:24	210:18	64:9	87:19 99:19
178:23	210:25	66:18 72:18	146:22
179:11	211:10	73:18	158:23
179:17	211:23	76:5 76:5	163:7
184:24	213:11	77:20	167:11
185:2 186:7	218:1	78:4	181:10
186:12	218:25	79:12	182:2 187:2
186:16	221:6 221:9	80:2	187:2 230:3
186:18	223:19	80:15	230:8
186:25	223:25	81:8	okay 8:16
188:3 188:6	225:18	81:17 81:17	8:22 9:2
188:13	225:20	81:24	9:4 9:7 9:9
188:25	225:21	82:7	9:19 9:25
189:1	225:23	88:18 91:18	10:8
190:25	226:5	98:9 122:19	10:15 10:15
191:13	226:17	135:20	10:19 10:21
191:19	227:2	187:7 197:2	10:23
192:3 192:8	228:15	197:17	11:2
192:8 194:2	228:25	202:20	11:11 11:13
194:20	officer-	209:19	11:15
195:5 195:7	involved	213:18	12:1
195:23	39:13 115:2	213:25	12:21
195:24	192:13	213:25	13:2 13:6
196:7	192:16	216:14	13:8
196:22	192:19	226:23	13:19
197:17	192:23	230:2	14:4
197:21	193:7	officer's	14:10 14:12
197:22	193:14	40:10 92:14	14:21 15:3
198:4	194:3 199:5	92:17	
199:23	officers 16:7	114:14	
200:3			

15:12 15:14	50:4 50:7	86:17 86:24	113:25
15:14 15:17	50:9	88:1	114:3
16:10 16:22	50:13 50:19	88:16 88:18	114:13
17:10 17:15	50:19 50:22	89:1 91:1	115:4 115:7
18:16 18:19	51:1 51:6	92:6	115:21
18:21 19:11	51:10 51:12	94:13 94:20	116:14
19:16 19:18	51:15 52:10	95:5 96:1	119:23
20:3	52:23	96:5	121:22
20:21 20:23	53:7	96:18 96:21	121:25
21:2 21:2	53:12 53:18	97:1	122:1
21:11 21:16	53:23 54:16	99:16 99:23	122:11
21:19 21:24	54:24	100:6	122:13
22:4 22:8	56:3	100:15	123:1 123:8
23:1 24:6	56:11 56:20	100:20	124:14
24:8 25:4	56:25	101:6	124:20
25:7	57:5	101:14	125:4
25:21	57:21 59:15	102:15	125:14
26:5	59:19 60:19	102:17	125:17
26:16 26:22	61:21	102:20	125:21
29:2	62:4 62:9	102:21	126:12
29:11 29:15	64:3	102:23	127:4 128:2
29:18 30:12	64:22	102:24	128:10
30:21 31:14	65:1 65:6	102:25	129:1 129:4
31:14 32:14	65:13 65:23	103:10	129:7
33:2 33:5	66:16 67:24	103:16	129:13
35:1 35:3	68:16	103:21	129:17
35:11 35:14	69:4	105:12	129:20
35:24	69:18 70:11	107:15	129:24
36:3	70:17 70:25	107:18	130:3
36:12 36:17	74:19 74:24	107:24	130:12
36:25	75:4 75:9	108:3	131:20
39:4 39:9	76:2 76:8	108:15	136:25
39:16 40:16	76:21	108:20	137:11
41:1	78:6 78:9	108:23	137:15
41:13 41:16	81:15 81:22	109:5 109:8	137:18
41:19 41:20	82:15	109:22	138:10
42:6	83:9	110:6	138:23
42:10 46:14	83:14 84:15	110:18	139:25
46:25	84:16 84:19	111:23	140:8
47:9	84:24	112:1	140:14
48:18 48:22	85:5 86:1	112:11	141:4 141:8
49:1 49:3	86:8	112:13	142:4
49:19 49:22	86:10 86:16	112:21	142:15

143:7	158:5	170:12	182:23
143:10	158:13	170:21	183:5 183:8
143:16	159:3 159:6	171:3 171:9	183:10
143:25	159:14	171:18	183:18
144:1	160:5	171:19	183:21
144:21	160:10	171:23	183:21
144:23	160:11	171:24	183:24
145:5	160:20	172:6	184:2
145:13	161:2	172:15	184:12
145:21	161:12	172:24	184:14
146:3 146:4	161:17	173:5	184:21
146:9 146:9	162:13	173:11	185:1 185:5
147:1 147:8	162:16	173:21	185:11
147:18	163:1 163:2	174:2	187:23
147:24	163:3 163:4	174:17	188:17
148:1	163:5	174:20	189:11
149:20	163:11	175:2 175:7	189:14
149:22	163:12	175:9	190:2 190:8
150:5	163:18	175:20	190:22
151:16	163:20	175:24	191:4 191:9
151:17	163:22	175:25	191:18
151:20	164:6	176:1	192:18
151:25	164:11	176:11	192:22
152:8	164:19	176:22	192:25
152:11	165:1	177:8	193:3 193:4
152:14	165:11	177:14	193:23
152:17	165:13	177:20	194:1 194:7
152:21	165:16	178:8	194:14
153:21	165:23	178:12	194:19
153:23	166:1 166:6	178:15	198:4
153:25	166:10	178:18	198:23
154:1 154:4	166:13	178:21	198:25
154:5	166:14	179:14	199:3 199:8
154:13	166:20	179:20	199:13
154:17	166:24	180:21	200:5 204:7
154:22	167:1 167:2	180:23	204:17
155:5	167:4 167:5	181:1 181:7	205:2
155:11	167:20	181:20	206:10
156:4 156:7	168:9	182:6	206:15
156:9 157:3	168:21	182:12	206:19
157:8	169:3	182:14	206:22
157:18	169:20	182:14	207:16
157:21	170:10	182:20	208:2

208:24	82:1 133:13	oppor 96:1	202:19
209:4	online 192:10	opportunities	206:3 206:5
209:11	onto 162:10	81:8	207:18
209:21	open 22:20	83:16 83:17	208:1
213:17	88:14 88:24	opportunity	209:14
213:21	135:16	73:4 76:4	210:22
214:8	201:8 203:2	76:11 90:19	211:8
214:12	205:24	90:23 90:25	211:11
214:15	211:19	95:16 95:17	211:13
216:8	214:25	97:8	211:16
216:17	215:5	97:14 97:19	211:22
217:10	215:13	opposed	228:14
217:22	215:13	38:9 45:3	organizations
218:25	218:4	210:19	34:22 210:2
219:4 219:7	openings	opposition	211:20
219:10	22:20	86:25 86:25	organized
219:13	operate 73:19	optimal 98:21	27:14 31:20
219:16	operates	99:8 106:15	37:12 37:23
219:23	28:23	option 228:14	original 70:1
221:3 221:4	operating	228:18	93:7
221:5 222:1	114:11	228:20	originating
223:1 223:4	185:20	order 128:15	46:22
223:7	operations	ordinary	others
223:11	31:25	199:18	38:24 97:12
223:15	32:4	organization	126:9
223:15	32:19 32:21	22:10	126:10
223:17	51:17 51:23	23:3 27:8	193:1
226:16	63:10	27:11 30:10	otherwise
226:22	opinion	32:7	189:21
228:9	103:17	45:12	ourselves
228:18	154:22	48:1 52:1	81:14
229:18	155:1	54:18	outcome 18:21
230:6	165:20	63:9	40:16 41:1
230:12	174:17	63:18 63:22	outline
old 11:17	186:18	82:5	182:18
67:15	186:24	192:8	182:23
ones 19:10	187:8	196:18	outside
29:25 81:20	220:14	197:16	15:7
135:15	225:20	197:21	34:20 34:21
189:7 209:3			
ongoing			

34:23	parameters	185:17	patrolmen
69:6 150:23	62:22	187:24	30:4 31:5
151:1	participating	197:15	31:20 37:15
163:10	125:24	204:20	patterns
187:20	participation	204:25	43:15 45:25
211:10	191:11	205:3	pause
overall 64:14	particular	205:11	127:19
overnight	10:6	205:16	138:23
69:8	31:21 69:11	211:24	140:10
overridden	74:6	212:14	151:22
185:15	75:25	212:17	151:23
oversaw 43:1	78:3 91:4	213:17	151:24
overseas 11:7	93:6	224:25	152:1
11:9	94:17	228:6	152:18
oversee 25:24	114:18	passenger	153:25
27:3 33:14	150:16	114:9	170:3
overseeing	150:20	passes 175:6	171:22
33:20 42:3	161:3	past 13:24	171:22
oversees 28:2	178:19	31:19 81:16	192:2
oversight	187:23	81:19	paused 139:24
23:20 24:17	partner 38:21	149:25	141:21
overturned	partners 38:9	150:6	154:13
211:6	188:2	150:25	pausing 159:5
owned	party 228:7	path 33:3	pay 160:10
202:18	228:16	patrol	162:2 163:8
202:19	Pasadena 7:19	15:13 21:14	172:2
<hr/>	8:18 9:12	21:17	paying 160:25
P	13:10 13:15	24:4	payroll 23:22
p.m 230:17	13:23	24:11	24:17 33:21
Pa 187:24	14:5	25:8	peace 202:25
page 145:23	20:12	27:17 31:22	pellet
145:25	25:5	32:4	67:22
paid 204:12	27:16 28:24	47:13	68:4 68:6
204:14	30:5	51:4	102:20
205:2	41:11	51:22 68:13	104:23
parallels	44:5 63:4	68:14 79:21	106:2
196:19	66:3	79:23 83:19	106:11
	66:10	122:9 122:9	penal 44:20
	81:6 82:4	Patrolling	pending 205:6
	91:16	31:25	

205:8 207:4	151:19	102:19	35:14 35:16
219:24	151:20	113:10	78:6
219:25	163:6	122:3	person's 81:4
pension	performance	133:15	88:23
208:11	34:13	156:23	103:10
208:12	performed	157:20	168:5 170:7
208:15	213:18	162:4	170:17
208:16	performing	164:10	170:24
208:16	204:2 204:4	164:13	177:10
208:19	period 15:3	164:23	183:19
people	25:14	168:12	184:15
34:18	50:6 135:16	169:10	184:16
48:1	194:13	171:8 171:9	petition
48:14 60:25	205:11	173:25	20:24
78:6 105:10	permanent	176:19	phone
110:1	61:10 61:11	177:6 191:1	108:12
115:17	person	191:6 209:5	108:13
115:18	16:13	218:24	108:14
116:5	28:4	226:14	108:16
126:11	35:15 36:12	personal	108:21
126:21	42:24 59:10	108:12	108:22
135:6 135:7	59:12 60:17	108:14	108:25
per 52:7 58:6	66:24	108:16	109:15
60:14 72:10	67:1 67:8	108:21	110:11
72:11	67:11	108:25	110:15
73:3 99:13	70:4 70:7	110:10	110:19
perceive	71:1 71:4	112:3 189:9	111:4 111:7
149:15	71:14 71:18	190:19	111:17
perceived	71:25	personally	111:18
49:14	72:6 73:4	17:22	112:3 112:3
percent 32:20	84:12	18:3 18:5	189:4 189:8
32:23 32:24	90:5	18:23	189:9
34:15 34:16	95:17 95:23	105:15	189:11
206:20	96:9	159:24	189:14
211:5	96:14	personnel	189:16
percentage	97:7 98:1	30:8 31:7	189:19
32:18 32:25	99:13 99:18	31:8	189:20
perception	100:2 100:7	54:21	189:20
148:3	100:15	55:4 68:18	189:24
perfect	100:22	persons	190:2
	101:6 102:5	29:6 35:9	190:19

physical	97:21	152:3	179:22
18:18 113:7	100:11	152:22	206:6
117:7	131:17	152:25	210:15
128:11	131:20	153:4	player
130:17	151:9	153:10	85:23 91:22
139:1 139:2	153:21	153:15	91:23
physically	155:4	154:6 155:6	166:16
113:25	155:25	155:12	168:25
picked 122:16	156:9 157:3	156:2	playing 85:18
picking 176:7	157:5 157:9	156:13	85:22 85:24
picture 93:22	157:18	157:11	167:11
pictures	158:23	157:22	167:12
189:23	159:14	158:8	169:4 174:6
190:5 190:7	160:11	158:25	175:24
190:13	161:2	158:25	plays 19:22
piece 137:13	161:22	159:21	please 7:14
pixilated	166:11	160:1	8:2 36:3
150:9	166:14	160:13	109:20
placed 224:14	167:2	160:18	145:22
placing	167:20	161:5 161:8	145:23
214:12	168:22	161:25	145:25
plain 203:16	168:23	162:7	146:5 147:7
plaintiff	169:2 170:2	163:14	151:9
7:17	171:17	164:21	151:10
plaintiffs	171:17	165:2 165:7	151:12
166:23	174:3	165:17	151:22
Plaintiff's	174:20	167:14	151:23
87:6	175:7	167:21	151:24
147:3	176:13	168:3	155:10
175:21	177:8	168:10	157:19
planned	196:13	168:24	160:10
228:11	202:1	169:5 170:4	166:11
platform	210:11	171:25	174:5
80:14	playba 167:1	172:7	174:24
play 23:4	played 87:4	172:16	179:23
74:15 85:10	87:8	172:25	179:25
89:20 94:12	94:21 95:14	173:6	182:14
	127:17	173:13	183:6
	127:21	173:17	183:21
	128:6 128:6	173:22	230:5
	128:7	176:2	pleasure
	151:21	176:14	
		177:16	

52:19 52:20	186:3	91:7	213:17
po 109:18	190:25	91:16	215:11
point 7:24	191:3 192:6	95:7	218:2
16:9	206:4	95:12	220:18
22:21 23:17	208:14	96:6 96:7	221:7
26:10	211:9	96:13	224:25
36:8	222:23	98:8 103:11	225:21
42:16	pointed	114:10	225:22
55:3	134:12	114:16	226:4
61:20 86:19	141:11	150:21	226:23
100:3 111:8	141:12	150:24	228:6
111:10	161:19	185:13	policies
113:1 113:4	pointing	185:17	33:22 46:11
113:9	179:5	185:25	63:17 63:21
114:25	182:19	187:1 187:9	policy 27:6
115:4	183:10	187:24	40:18
116:20	183:12	192:18	44:1 44:2
117:10	183:17	193:8	44:14
117:19	points 22:18	193:10	45:6
117:22	police	193:11	45:18
118:7	13:10 13:15	193:14	56:3 56:6
118:14	13:24	193:23	59:6 63:8
119:1 125:7	14:5 14:7	194:24	63:14
125:13	14:19 14:22	195:4 196:2	66:4
126:6	15:2	197:16	72:10 72:11
127:13	15:14 27:16	202:14	72:13
128:5 128:7	28:18 41:11	203:6 203:8	73:3 73:6
130:18	44:6	203:9	73:8
133:11	45:23 47:19	203:10	73:13 73:16
139:4 141:4	59:11 59:12	204:2 204:4	73:24
141:9	60:16 60:16	204:7	75:6
142:25	63:4 63:4	204:14	76:13 78:20
145:19	66:3	204:20	78:20 80:18
148:1	66:10 66:11	204:25	80:21
148:19	66:23 72:24	205:3	91:7
149:8	75:10 77:14	205:11	91:16 91:20
154:13	78:22 79:20	205:16	98:24 186:4
154:18	80:23	209:16	187:3
155:8	81:6 81:6	209:18	188:12
158:14	82:4 82:15	209:22	politics
179:15		211:24	210:10
185:20		212:14	
		212:17	

pollicy 46:18	211:4	132:10	155:16
poor 162:19	potentially	217:11	180:16
porch 70:2	43:20	218:22	215:10
96:12	90:9	presenting	217:11
portion	94:11	121:12	226:8 226:9
166:13	135:15	president	226:12
pose 89:10	201:19	198:1 198:2	prison 208:18
position	powers 202:14	press 94:12	privilege
25:13 26:12	203:7	169:2	221:1
35:22 35:25	practical	pretty 11:6	privileges
98:7 145:10	38:6	38:7	203:23
152:1 155:3	pre 187:16	52:17 58:13	pro 195:3
158:13	precipitating	83:7 83:7	probably
160:9	54:7	83:13 95:10	17:14 32:23
161:17	preliminaries	106:3 113:5	39:11 42:18
162:16	9:15	139:3	50:20 71:21
166:1 193:4	premises	149:21	71:22 108:2
193:4 202:3	204:19	195:18	108:5 108:6
210:5	prepare 9:25	prevent	109:21
positions	prepared	9:20	112:15
26:11	133:12	214:9 215:2	119:17
possess	prerogative	prevented	123:18
189:12	52:17	174:13	189:16
202:24	presence	preventing	193:9
203:12	88:23 97:10	143:11	194:13
204:19	101:19	previous 10:2	problem 85:17
possibility	present 27:16	172:13	105:18
45:10 91:22	28:17	172:18	168:25
possible	80:2	189:20	175:18
72:14	83:16	190:2	222:18
73:7	113:17	previously	procedure
73:21	121:12	85:10	114:11
74:3 75:6	187:16	195:11	114:13
76:9 97:25	197:1	primary 33:18	195:19
post 81:24	218:23	37:7	195:20
175:6	presentation	prior 62:11	199:5
posted 109:18	34:12	85:2 100:20	procedures
post-George	presented	101:7 103:2	45:22 46:11
		119:2	63:21 64:23
			75:11 195:4

proceed 9:23 17:6 144:21	program 12:15 12:18 14:12	prosecutors 216:9	179:23
proceedings 30:25 77:6 144:6 180:11 213:5	programs 29:11	protect 192:7 211:8 211:8	pulling 133:23
process 22:8 22:12 22:14 22:22 23:4 25:17 34:5 34:6 44:4 44:5 44:9 46:2 52:11 52:13 133:20 169:15 185:6 185:9 185:24 186:9 187:18 190:11 192:3 195:6 195:18 195:20 196:13 196:14 209:24 210:16 211:4 211:14	prohibiting 45:6	protection 197:23	purposes 38:7 109:16
	prohibits 45:8	provide 17:7 80:1 80:10 82:3	pursuit 42:18
	projector 140:23	provided 197:11 197:23	pursuits 75:22
	promoted 21:14 21:20 22:1 22:4 22:9 22:20 23:5 23:6 23:10 36:22 47:11 51:1 51:11 51:12 53:1	providing 81:7	push 80:13
	promoting 52:12	prudent 201:20 214:21 214:24	<hr/> Q <hr/>
	promotion 21:19 34:1 34:2	psychiatrist 196:2	qualify 196:4
	promotional 22:12 22:14 22:22 34:6	pu 215:9	quarterbackin g 92:17
processes 23:2	proof 97:9	public 201:24 214:10 214:12 214:16 214:23 215:7	question 20:19 46:8 47:14 65:5 72:4 78:2 90:16 90:18 91:13 99:1 99:2 99:3 99:6 106:22 106:23 107:4 117:25 120:15 130:23 146:23 147:18 148:25 150:20 203:24 205:6 205:8 212:11 223:23 227:20
profess 138:18	property 33:11 36:13 201:25 204:6 224:16 224:17	puff 156:7 156:19 160:23 170:10 170:12	
professions 82:2	prosecuted 40:24	puffs 138:11 139:10 156:11	
		pull 133:19 145:22	questions

184:22	100:21	24:19 27:19	reasonableness
205:9	103:4	28:9	s 92:23
228:24	Ramirez 84:13	33:18	reasoning
229:1 229:2	84:14 84:17	38:6	210:13
quick 83:13	84:19 84:22	47:22 72:19	reasons 92:13
133:22	84:25	79:9 84:2	133:14
139:3	85:3	98:19	rec 150:17
144:13	86:13 110:9	99:3 114:22	202:13
180:7 192:7	111:19	116:9	recall
quickly	123:9 188:8	116:18	17:24
85:6	198:25	160:4	18:4
106:3	218:19	161:18	18:21
106:12	ran 123:16	161:24	19:2 19:4
207:11	Randy 7:17	196:15	19:25
quit 41:8	8:14 188:19	reask 91:15	20:9
	212:18	reason 9:16	20:11 20:23
	224:4 224:7	50:11 88:24	39:12
<hr/> R <hr/>	range 196:3	101:20	41:1
radio 112:17	rank 38:2	103:5	41:13 41:16
rage 40:3	38:5	106:21	42:10 42:20
raining	38:10 38:14	134:18	48:11 48:16
124:12	38:14 41:13	137:23	49:13 50:24
raise	ranked 22:17	138:5	54:2
100:22	re 89:20	138:14	66:16
100:22	148:18	138:16	67:8 67:9
226:17	reached	143:10	67:11 67:18
227:8	221:10	144:17	67:19 67:25
227:12	reaction	145:2 165:1	69:1
227:15	72:16 88:11	182:4 202:9	69:11 69:21
227:21	98:1	209:9 214:8	69:23
228:2	reading 20:23	215:19	70:9 70:9
raised 71:5	70:24 71:4	228:2	70:11 70:14
101:6	ready 8:6	reasonable	70:16
101:14	9:23 144:21	74:8	71:4 71:8
102:5	real 29:9	74:10	71:12
raises 226:22	45:9	89:5	78:7
raising 100:3	50:23 68:24	90:12 121:4	82:16 82:23
100:7	really	133:10	83:10 83:10
100:15		134:2 134:7	83:21 83:24
100:19		135:20	84:5 84:6
		135:23	84:16 84:18

86:17 88:16	191:9	130:24	218:11
88:17 94:16	191:14	132:16	recreations
94:19	193:5 199:6	189:6	150:17
96:9	199:7	206:18	150:18
96:14 96:15	202:13	225:3	reenactments
96:20 108:9	203:25	recommend	150:17
110:8	204:18	76:11	refer 84:13
110:12	204:21	recommendatio	107:12
110:25	206:13	n 43:20	referenced
111:3 111:6	211:5	58:22 58:24	87:6 147:3
112:20	215:14	59:4 59:5	referred
113:3 114:3	218:16	70:19 74:11	64:11
115:24	219:4 220:4	74:14	referring
116:14	220:9	recommendatio	8:17 10:9
120:12	recalled	ns 44:7	reflect 224:3
124:4	96:21 96:22	52:1 65:8	224:6
124:23	recalling	reconstructio	224:13
124:24	227:23	nist 143:17	226:7
125:4	recap 21:24	record 7:7	226:11
125:22	receive	7:15	reflects 94:5
126:20	34:1	30:19	reflexes
127:3	112:2	31:2 77:4	169:3
127:14	208:19	77:8 94:5	refresh 219:8
129:10	226:17	144:4 144:8	regarding
129:17	227:15	174:6 180:9	54:19 90:21
129:19	received	180:13	91:3
129:24	208:5	213:3 213:7	91:18 109:9
131:7	215:25	224:19	110:9 112:2
131:10	227:20	225:8	187:15
132:6	228:1 228:6	225:11	regrets
132:12	228:16	225:12	225:16
132:15	receiving	225:14	regular 15:14
138:7 138:9	213:14	230:15	21:25
139:7	227:12	recording	68:1
139:25	recent 30:2	148:2 148:4	85:11
140:2 140:3	recently 9:9	174:9	92:9
142:19	recollection	175:15	123:1 123:3
142:19	70:23 71:24	175:16	167:2
144:23	127:24	175:16	
145:9	129:15	records	
145:12			
148:17			
148:20			

167:12	67:13 67:14	repeated	197:12
167:12	67:15	43:11	requests
175:24	69:5	replace 30:15	111:16
regularly	69:13 71:16	replaced	required
27:4	71:20 74:13	57:17	197:12
related 17:16	74:16	replay 154:2	requirements
77:14	78:1 78:7	report 10:5	62:13
relations	83:3 83:5	10:9 10:9	requires 82:1
63:12	83:13 84:23	38:17 70:25	research
relationship	105:22	71:3	213:15
15:6 122:17	111:11	71:23 76:12	reserve
166:2	113:4	96:25	228:25
relative	118:12	120:22	229:2
171:10	118:22	reporter 7:12	reshare 91:25
released	124:6 124:7	8:4 8:7	residence
18:23	126:11	229:5 229:7	102:22
remain	126:22	229:11	resign 222:15
187:6 187:9	128:5	229:14	resignation
200:17	128:15	229:24	56:5 222:12
remained	129:20	230:6 230:8	resolve 94:9
186:25	139:1	reports	resources
204:24	139:10	10:2 10:4	143:13
remaining	139:12	23:22 24:17	143:14
32:25	139:13	33:21 44:10	respect 27:14
reme 81:12	139:21	46:4	89:20
remedial	140:3	70:14	186:11
81:13	140:21	120:25	186:12
remember	140:24	represent	186:19
18:10 19:10	145:17	7:18 8:13	191:10
20:7 20:8	159:5	repri 64:9	225:16
20:25	188:20	reprimands	225:17
21:1	188:22	52:4 52:4	respon 118:6
38:23 39:20	202:14	64:10 64:10	respond 23:22
39:22 40:10	218:9	64:19	23:24 24:14
40:19 40:21	remembering	65:6 224:10	responded
47:23	9:21	request 111:9	98:2
48:3 48:4	remind 21:8	111:10	
48:10 48:24	removed	125:22	
	123:21	197:8	
	Repeat 212:10		

respons 62:5	66:8 204:22	83:12	35:5
response	213:11	84:7 85:6	35:12 36:17
118:2 135:8	228:5	89:21 104:4	36:20 36:25
146:23	retirement	104:11	41:24 42:22
146:25	54:8 221:13	104:16	43:8 47:9
207:7	228:7	104:16	47:20 51:15
responsibilit	228:16	105:20	57:16 57:18
ies 23:14	retires	105:23	57:20 62:11
23:25	228:13	106:3 106:4	68:12 68:18
24:8 27:1	retiring	106:11	68:24 81:23
62:6	54:18	Rick 57:1	107:7
63:24	returned	57:10 125:9	122:14
109:10	26:12	rights 61:5	209:17
responsibilit	review 10:4	195:7 216:9	209:19
y 24:16	10:21	Rigo 71:19	210:15
43:8 47:1	37:5 37:8	92:19	roles 14:3
responsible	37:9	128:16	15:13 25:21
24:22	44:11 75:21	188:19	52:9 58:1
responsive	75:23 76:14	Rigoberto	62:5 63:3
111:13	91:16 104:3	8:18 14:24	63:13 63:23
111:16	104:9	ring 70:3	roll 79:15
rest 164:1	192:12	106:6	79:18 79:19
restrict	192:15	ripped	80:1
202:22	216:10	117:8	83:20 83:22
202:24	reviewed 10:2	117:24	83:25 85:1
203:12	10:12 10:15	118:2	room 126:7
restrictive	10:19 71:21	risk 211:15	126:11
201:23	96:22 97:15	road 40:3	127:4
restroom	187:3	robberies	140:23
30:20	191:12	35:18	201:25
result 98:4	reviewing	117:24	204:6
98:6	70:14 76:12	118:2	207:11
retained	98:11	role 9:5 14:6	224:16
21:21	103:22	14:18 15:15	224:17
retire 54:4	148:13	15:17 15:20	rotated 175:4
54:10 201:3	Reyes 10:13	16:2 17:5	round 13:5
retired 52:25	Ri 227:6	24:12 26:24	131:3
53:20 57:11	Rice 82:17	26:25	135:13
	83:2	27:1 27:6	137:6
		33:7	137:14
		33:13 33:18	137:22

169:24	70:6 93:22	130:20	206:24
rounds 130:20	Saldi 90:17	131:24	210:19
130:20	Saldivar	136:10	211:10
131:5	7:9 7:21	137:4	211:23
131:15	8:18	142:16	213:12
131:25	14:24 47:16	143:22	218:1
137:5 138:4	49:8	145:11	218:25
route	49:11 49:13	152:5	220:17
116:23	49:16 50:24	152:14	220:25
116:24	66:14 66:24	152:19	221:7
118:17	67:6	153:20	221:10
rule 110:13	71:13 71:16	154:15	223:19
206:1	71:25	154:23	224:1
rules 33:22	74:7 75:1	157:7	225:18
63:20 73:19	76:1	158:11	225:21
201:16	84:12	160:5 160:6	226:17
run 116:20	88:9	176:7	228:15
116:24	90:21	176:19	228:25
125:12	91:2	176:24	Saldivar's
187:14	92:19 93:10	178:23	86:14 90:12
194:5	95:17	179:11	128:13
rundown 69:25	97:4	179:17	136:4
124:17	97:12 97:16	184:24	138:12
127:11	98:3	185:2	148:18
127:20	98:13	186:13	155:3
running 113:6	99:7	186:16	186:18
113:7 117:5	99:18	186:25	188:4 188:6
127:17	100:17	187:8	Salv 97:15
134:11	100:21	188:25	Salvidar
152:9	101:7	189:1	188:19
152:23	103:17	190:19	227:7
153:8	103:23	190:25	Sam 12:11
	106:14	191:14	save 111:7
	107:13	191:19	saving 151:14
	113:8 113:9	192:3 192:8	saw 87:15
	113:15	194:2	87:18
safe 108:7	113:21	194:20	123:23
Sal 91:2	116:3	196:7 198:4	127:17
188:19	116:18	199:23	139:13
salary 227:3	117:6	200:3	140:14
Saldavar 70:4	128:12	200:17	
	130:18	203:5	
		205:16	

140:18	69:12 69:16	128:12	129:6 130:4
141:1	83:11 92:21	130:18	school
141:24	104:25	130:19	11:22 11:24
142:7	107:22	131:11	11:25 12:10
142:22	112:12	131:20	13:20 81:25
143:4 148:2	112:13	131:23	scope 27:9
155:20	112:24	132:17	score 22:18
156:5	113:11	136:1 136:6	34:14 145:5
156:16	115:8 115:8	136:10	screen
160:6	115:11	136:21	139:6
161:15	116:1 122:5	137:3	139:16
162:21	123:11	137:22	140:19
164:5	123:13	138:13	140:22
169:18	123:15	138:17	141:12
176:5 176:6	123:21	138:18	149:11
176:17	124:2 125:2	139:13	151:7
177:12	139:17	140:16	154:10
177:25	175:17	141:5	154:16
scale 226:24	188:21	141:22	155:23
sce 37:21	195:22	143:22	156:5 157:6
scenario	197:3	144:24	160:11
37:22 69:25	197:14	145:15	162:10
73:20 73:22	scheduling	152:9	162:22
74:6 75:7	23:22	152:23	163:24
75:14	Schenk	153:19	164:2 171:7
121:15	10:11 10:16	154:17	178:2
134:14	74:22 74:25	178:10	180:17
134:15	107:13	178:24	184:6
135:4	107:13	179:11	screenshot
135:25	107:19	179:16	181:2
136:1	110:10	186:13	screenshots
scenarios	111:19	186:14	180:20
34:11 73:11	116:20	186:16	second
81:16 81:20	116:21	186:19	30:20 42:12
104:22	116:24	187:1 188:7	42:13
121:18	117:3	193:16	74:2
135:22	118:17	198:19	92:18
scene 32:16	123:9 124:3	218:6	104:24
50:5	124:21	226:16	127:19
50:21	125:12	227:24	138:24
69:2 69:9	126:5	Schenk 's	
	127:17		

228:5	selecting	221:10	sergeants
section	57:16	221:18	25:9
141:12	selections	221:24	25:24 25:24
seeing	54:25	September	25:25
16:14 43:21	send 230:6	35:8	26:2
46:17 87:10	sending	sergeant	27:14 27:18
94:23 99:17	201:15	10:10 21:21	27:21 28:14
115:24	seniority	22:6 23:9	31:12 38:1
139:7 142:3	22:18	23:10 23:16	serious 97:13
142:9 178:2	sense 25:4	25:14 25:18	serve 52:19
178:3	39:4	27:23	52:20 52:23
191:15	sent 180:20	28:1 28:6	served 14:3
seem 126:10	187:20	28:8 28:9	61:21
206:13	206:8	28:10	219:12
218:16	206:16	29:3	219:13
seemed 123:18	separate	33:24 33:25	219:18
seen 66:22	187:11	35:4	219:20
70:2	196:20	36:15	220:2
86:17	201:14	37:1	service 24:14
116:19	210:21	37:20 37:25	29:19
138:25	211:11	38:1 48:9	52:3 52:7
160:3	211:21	80:1 115:12	52:16
175:15	separated	116:3	58:4
178:15	40:19 201:8	116:15	58:25 60:17
178:18	206:3	118:10	62:13 62:22
sees 46:3	207:18	122:10	64:4
103:3	208:1 208:3	122:22	64:12 64:15
Selbe 7:20	211:24	124:14	185:8
7:20	212:2 212:4	125:18	185:15
43:18	212:13	126:9 127:1	185:21
65:3 87:3	218:1 221:7	137:2	186:6 205:4
106:17	224:23	139:15	211:1
146:15	224:24	140:25	222:18
146:22	separating	143:21	223:4
147:2	208:22	145:14	223:18
175:18	220:18	147:9	223:25
212:8 229:2	separation	147:19	224:7
229:5	200:19	148:10	227:13
229:16	200:22	148:25	227:18
select 53:12		158:24	services
		187:7	32:17
		213:22	

session	shift 14:20	48:23	158:4 158:7
209:10	15:13 21:14	49:4	158:11
sets 226:15	21:17	50:18 66:13	161:20
setting	24:4	70:12 74:25	161:20
27:6 27:7	24:11 27:22	75:2	170:13
51:24	33:5	77:14 82:16	171:11
63:8 63:14	47:12 47:13	82:24	176:19
settled	47:13 79:21	83:2	176:24
19:1 19:14	79:23	84:11 84:14	177:21
seven 163:5	160:21	84:17 84:20	177:24
Seventh/	shifted	84:22 84:25	178:24
eighth	33:9	85:3 85:6	179:7
11:19	33:10 160:8	86:13 86:14	179:12
several 49:23	172:11	89:22	179:17
56:17	175:4	91:4	183:15
70:6	shit 87:19	99:19 102:7	183:16
140:5	99:19	104:4	183:17
216:14	shoo 85:3	104:11	186:13
sex 32:11	112:8	104:24	186:14
sexual 35:19	186:13	107:14	186:16
shades 139:6	shoot 44:14	107:19	186:19
shading	44:18 44:23	108:20	187:1 188:7
141:10	88:18 89:14	110:10	188:8 188:8
shadow 155:18	101:21	110:10	188:11
155:20	103:5	111:19	188:18
155:22	108:18	111:20	188:19
shape	133:15	112:3 112:6	188:23
149:24	133:17	112:8	190:19
171:21	134:8	114:15	191:10
183:19	134:13	115:2 116:5	191:25
shared 29:11	134:19	124:22	192:14
sharing 85:25	134:23	125:12	192:16
shell 138:4	135:3 135:8	125:19	195:6 195:8
sheriff's	135:10	126:5 132:5	195:11
210:10	135:21	133:25	195:22
shi 33:6	135:23	135:5	196:6 196:7
	shooter 166:2	135:12	196:8
	shooting	138:13	196:10
	10:14 10:16	153:22	196:16
	10:17 18:19	156:24	197:3 198:5
	43:5	156:24	198:5
		157:21	198:15
		157:21	198:19

199:1	194:21	173:25	112:1
199:10	194:23	176:9 178:9	sight 127:18
199:19	196:23	178:10	sign 116:20
200:1 201:4	199:5 226:9	178:12	230:4
201:18	226:12	184:16	significant
201:19	shoots 40:8	188:5	91:17 108:4
204:3 204:5	short 47:22	188:14	109:24
205:22	50:5 51:8	191:19	109:25
206:15	107:9	194:2	192:14
207:3 212:1	212:23	194:20	signs 16:14
212:6	215:22	shots	similar 24:11
212:15	shortly	129:11	28:23
212:18	107:20	132:22	91:8 103:24
215:1 215:6	107:24	133:2	114:19
215:9	108:1 119:8	145:11	simpler
216:13	152:8	145:15	150:20
217:13	shot 67:12	145:20	simply 189:1
218:6	71:1 71:5	147:11	simultaneousl
218:19	71:14 74:22	147:21	y 127:22
220:7 224:4	83:12 84:12	148:11	127:23
224:7	98:5	148:15	single
224:11	106:2	149:5 162:3	73:16 73:20
225:25	106:12	shoulder	singled 227:7
226:3 226:7	106:12	134:12	sir 8:7
226:16	107:13	showed 180:21	8:10 8:15
227:14	124:3	shower 112:10	8:19 8:21
227:15	130:20	showing 86:12	8:24 9:8
227:21	131:12	139:18	9:10 15:4
shootings	131:21	169:12	51:5
35:19	131:25	175:8	85:13 85:13
39:6	132:17	180:19	87:5 144:10
39:13 39:14	132:20	shown 156:12	145:25
43:3 43:4	133:2 134:3	shows 99:17	146:7
75:22	135:14	138:18	149:11
91:8	136:10	sic 187:8	149:13
91:17 150:7	136:23	sidebar	166:17
192:19	137:4	106:25	167:9
192:23	143:22	107:3	172:22
193:7	162:17	sidetracked	174:22
193:15	162:17		
194:3	168:13		
194:15	171:4		

179:14	skip 151:15	175:25	114:6
180:1	151:20	177:8	114:16
180:17	Skrick 158:24	189:22	114:18
181:15	Skripka	slowed 139:21	121:10
181:18	115:12	143:2 159:3	127:9
181:24	116:3	159:11	135:21
205:6	116:15	slowing 92:18	143:19
site 89:14	118:10	sluggish	160:7
sitting 80:20	124:15	189:22	162:10
114:9	125:11	smoke	163:9 171:4
114:23	125:18	139:10	174:14
203:25	126:4 126:9	156:7	185:8
218:4	126:14	156:19	185:24
situation	127:5	160:23	190:15
58:18 73:16	127:10	161:9	199:14
84:3	137:2	170:10	201:12
90:13 90:21	139:15	170:12	202:17
90:22 91:11	140:25	smokes 138:11	205:11
91:19 92:21	143:21	156:11	somebody's
93:13 97:16	145:14	Snapchat	44:21 88:10
98:20	147:9	109:6	96:12
99:7	147:19	sobriety	202:17
104:4 104:9	148:10	16:12 17:1	someone 66:22
106:15	148:25	social	134:8
situations	151:5	109:3 109:5	sometime
73:15 81:18	158:24	109:8	206:14
98:10 98:10	187:7	solely 88:19	somewhere
103:24	slide	somebody 16:5	11:20 30:18
six 14:11	182:14	42:7	41:18 48:25
17:14 24:23	183:5	44:15 44:18	85:8 85:8
27:18 27:21	183:21	69:20	113:13
71:22 71:22	slight 165:24	70:2 70:2	128:18
84:23	slow 92:9	72:22 72:23	sooner 108:6
188:14	92:20	89:9	sorry 15:12
223:7	93:1 93:2	89:12	18:4 60:9
223:17	93:14 94:17	90:4 104:21	85:15 146:7
six-month	129:1	105:3 106:7	166:22
14:12	139:20	108:10	166:23
size 34:23	159:4 159:8	112:25	174:22
skin 80:24	159:20		180:1
	167:5		184:22

193:11	39:22	199:4	135:16
205:7	115:20	standing	stayed 200:3
209:18	specifics	116:13	stealing
212:10	54:19	137:23	102:20
213:10	speculate	145:15	106:5
220:16	55:17 55:18	148:14	step 226:23
221:19	158:4	149:5	227:8
224:5	speed 85:11	start 8:6	227:17
sort 77:21	92:9	44:5	steps 45:12
150:7 190:9	167:3	75:19 85:18	186:15
sounds 154:11	167:12	133:19	195:7
154:12	169:1 169:4	185:6 188:5	Steve 7:20
source 55:13	175:25	189:21	Steven
south 7:11	spellings	220:16	86:25 86:25
66:19	230:1	started 12:11	Sti 142:7
space 84:1	Spencer 20:17	13:10 13:15	stick 39:18
84:2	split 32:18	21:8 116:22	41:21
span 28:12	92:17	119:8	sticks 41:21
spark 156:20	spoke 66:12	state 12:12	stole 96:11
sparks 156:11	69:21 114:8	45:7 64:8	121:19
speak 10:23	124:14	72:19	stolen 70:1
55:7	124:15	82:1	stood 116:5
55:10 90:20	spot 101:2	88:14 95:23	stop 42:13
113:21	163:21	95:25 98:24	113:5
113:24	squad 24:10	142:21	116:20
150:15	24:20 25:23	203:1	116:21
speaking	28:2	208:16	127:17
146:20	squads	208:20	133:23
146:25	27:15 27:15	209:9	133:23
special 14:13	27:24 35:10	stated	152:6 155:9
122:17	squares 104:2	35:21	177:15
specialty	104:9	104:10	185:19
28:3	stabblings	137:21	188:24
specific 28:3	35:19	138:3	190:23
28:22 114:3	stand 38:25	142:17	227:11
132:16	standard	158:23	stopped
specifically	114:11	198:6	16:5 50:2
18:10 33:11	198:13	215:24	50:20 128:6
		stay 78:25	
		120:24	
		121:2	

140:4 141:5	76:13	13:18 13:19	support 32:16
181:21	struggle	sued 220:6	32:19
181:25	113:8 117:7	sufficient	33:1 136:3
188:25	117:8 118:3	88:23	sure 20:22
stopping 69:5	128:11	96:2 101:20	25:25 33:21
143:16	128:12	103:5	39:17
stops 16:4	139:1 139:2	suggest 75:13	43:2 46:5
stor 137:9	154:11	suggesting	55:7
stories 77:14	stuck 172:21	43:9	56:10 64:13
story 78:12	stuff 58:14	suit 120:4	77:2
straight 95:3	181:4	suits 17:22	87:14 87:17
128:14	Styron 57:2	summer 13:6	91:15
street 75:7	57:10 57:11	sums 149:21	94:4 94:4
93:20 175:5	125:9	Sunday 222:22	106:8 110:1
181:3	125:21	222:22	113:25
216:10	126:2 126:3	superstar	115:6
216:12	126:8	227:2	141:11
216:13	126:16	supervise	142:20
217:7	141:13	18:8	147:2
streets 196:9	141:15	20:19 33:15	154:10
196:12	141:16	37:16	157:15
strike 70:7	141:18	supervising	162:24
90:18	141:19	48:9	166:9
223:22	142:8	supervision	167:18
224:5	su 59:13	24:19	170:1 174:5
strikes 20:11	sub 132:21	25:5	176:10
striking	subject 16:13	27:10 33:19	176:12
113:10	49:5	supervisor	176:20
strong 120:4	submitted	21:21 23:18	181:4
struck 20:6	37:6	24:10	182:16
42:17	subordinate	25:3 33:3	190:11
70:8	38:10	33:5	192:21
191:6	subpoena	38:10 41:25	193:18
218:24	111:14	79:17 80:20	194:5
structure	subsequent	supervisors	197:19
38:2 38:15	132:21	25:1	212:13
structures	135:14	34:22 83:19	213:1
	substitute		218:21
			219:9 222:8
			226:19
			226:20
			surprised

217:5	talk 64:2	153:2 153:6	91:24
survive 191:7	64:3	153:13	92:3 92:6
Susan 56:23	64:13 84:11	tased	144:3 144:7
suspect	90:23	152:18	145:24
121:11	112:18	152:19	146:3 146:7
134:3	114:21	tasing 153:1	151:11
suspend 59:13	123:16	task 15:19	166:21
59:13 185:4	195:24	16:2 16:7	167:9
201:11	216:17	21:4 21:4	174:22
202:4	talked	21:22 21:25	174:25
210:25	69:20	22:6	180:1 180:5
suspended	115:12	23:15 23:16	180:8
186:8 201:4	115:14	28:16 28:17	180:12
201:5	115:19	28:19 28:23	181:18
203:23	116:3	28:24	182:3 213:2
208:14	117:14	29:1	213:6
suspension	122:18	29:10 29:16	225:10
58:11	216:16	123:5	225:13
swear 8:2	talking	Taylor 7:22	230:12
sworn 8:3	8:17	TCOL 207:20	teenager 11:7
30:8 31:7	64:14 64:15	221:11	104:23
31:8	73:22	221:18	106:2
synonymous	74:6 97:3	221:24	106:12
60:24	116:12	te 173:24	teens 67:17
system	116:13	teach 13:19	TEH 97:19
206:6 227:8	188:18	teaching	102:11
	talks 59:24	13:18	105:3
	60:4	tech 85:12	131:14
	Tamir 82:16	technically	telephone
	83:2	215:13	110:2
	83:12	TECHNICIAN	temporarily
T.V 140:21	84:7 85:6	7:7 8:1	61:9
143:1	89:21 104:4	30:22	ten 24:24
T-5 221:15	104:10	31:1 77:3	26:15 31:19
takeaway 84:3	104:15	77:7	42:18
taking 37:2	104:16	85:14 85:17	77:1
47:3	105:20	85:20 85:24	193:6 193:9
83:20	105:23	86:2 86:5	193:9 194:8
126:12	106:3 106:4	86:9	194:9
204:1 217:2	106:11		194:10
230:17	tase 152:20		194:15

212:24	22:18 22:23	111:10	72:20 89:11
212:25	23:11 23:12	190:8	114:24
ten-ish 39:11	34:8 34:14	Thaler	130:8
termi 58:19	testified 8:5	52:22	theor 128:21
termin 65:20	17:8 138:10	53:6 56:22	theories
terminate	142:11	thank 8:11	136:3
58:16	149:13	86:24	theory 127:12
59:6	149:22	87:5	128:8
62:10 62:25	159:11	93:16	128:10
184:24	225:4	106:21	130:12
185:2 185:8	227:25	146:20	130:13
185:24	testify 228:2	147:1	130:16
201:11	testimony	151:25	131:3 131:6
202:4	9:17 9:21	175:20	132:19
211:12	10:3 17:7	184:21	136:4
terminated	44:22	217:22	there's 22:13
40:20	78:7	229:23	23:2
41:4 41:5	98:20	229:24	26:21
41:6 41:8	103:21	230:10	28:5
59:20	106:13	Thanks 14:17	29:24 31:19
202:15	140:15	Thanksgiving	34:11
213:10	141:8	113:13	45:9 47:6
termination	144:18	125:8	47:25 48:14
58:12 59:20	145:13	125:15	58:24 60:20
65:21	146:19	That'll	60:21 60:21
202:10	150:11	229:24	63:12 63:13
terminations	151:4 178:1	theft 28:5	64:16 64:18
211:6	178:21	28:5	73:10 73:11
terms 23:25	179:1	32:11 33:12	76:13 80:17
27:15	179:14	33:15	80:18 80:19
55:4	184:14	35:6	80:23
60:24 63:24	tests 16:12	36:13	89:5 90:1
64:18 69:12	17:1	49:9	90:24
81:7	Texas 12:2	66:21	105:21
81:23 133:6	22:12 52:17	119:15	133:21
178:23	72:19 88:14	119:21	133:22
208:11	203:1 203:3	120:10	133:25
209:4 209:4	207:23	121:9 122:8	134:14
test 17:4	208:16	themselves	136:2 136:2
22:14 22:15	209:9	7:15	136:6
	text 108:23		140:23

155:8 155:9	174:25	tool 94:6	81:17 98:9
155:13	thorough	top 14:14	trained 44:17
156:14	210:3	121:2 161:6	44:17 77:20
160:21	thoughts	162:21	79:12
161:9	87:10 87:12	165:10	91:2 98:12
165:10	191:15	184:18	training 28:8
171:13	thousand-	topic 79:17	32:17
179:2 181:4	and 48:24	184:22	43:9
185:7 185:7	threat	211:3	44:16 44:24
193:1	44:15 44:18	topics	45:24 75:20
196:15	44:24	80:11 80:14	76:16 78:24
196:16	45:3 45:4	Total 30:8	79:8
205:6 205:8	49:14	totality	79:15
211:5	73:2 88:9	92:24	80:2 80:8
211:13	88:13	93:4 93:5	80:10 80:11
211:15	89:6 89:7	133:8	80:13 80:16
213:22	89:11 92:24	toward	81:8
213:25	97:11	93:19	81:13 81:24
215:5	133:17	98:2 129:16	82:1 82:3
224:19	214:16	131:1	82:6
Thereupon 8:3	threat's	towards 100:3	82:11 83:25
they're	214:17	183:10	85:1 88:2
61:4	throughout	town 199:14	88:5
169:9	26:3 26:7	toy 67:20	trajectory
171:14	26:18 27:19	track 80:15	129:9
190:14	thrown 117:3	tracking 33:2	trans 189:18
192:10	til 56:15	Traded 110:24	transcript
192:10	63:7 133:23	traffic	229:9
they've 150:8	204:22	16:4	229:17
169:14	tilted 95:2	24:15	transferred
178:9	timelines	32:2	36:18
218:22	186:10	42:13 113:5	transition
third 32:15	titled 95:3	116:21	189:19
163:23	today 9:17	127:16	traumatic
thirty 180:14	9:23 203:25	152:6	114:20
Thirty-	Today's 7:9	188:24	tree 183:1
three 180:4	Tom 57:11	190:23	trees 181:3
180:5		train 18:8	trends 78:3
Thirty-two			78:21
174:24			

trial 7:13	67:17	28:11	117:9
229:1 229:3	twenty 21:7	29:8	117:13
tried 152:17	84:24	29:22	118:19
trigger	122:12	30:1 30:3	118:24
133:23	220:2	30:7	119:10
trust 137:7	twenty-twen	30:17 31:24	119:16
truthful 9:17	219:1	32:1 32:5	120:5 121:8
9:21 144:17	twice	32:8	122:20
try 114:18	178:12	32:22 33:17	126:15
121:19	224:5	34:3 34:5	126:17
134:1 143:3	Twitter 109:6	34:7	126:19
163:4 170:2	two-year	34:24 36:10	128:20
177:15	194:13	38:3 42:1	136:5
trying 16:4	215:16	42:15 45:15	139:11
27:11 73:13	type 43:15	46:9 48:6	150:2
73:17 94:12	44:7	49:7	158:17
94:13	76:15	49:10	161:16
98:9	81:8 221:5	50:1 50:4	162:20
107:1	types 121:15	51:21 52:15	162:23
144:14	typical 16:23	57:9	183:3
144:16	typically	57:19 61:12	195:14
153:2	30:5	63:15	195:16
220:23	34:21 74:15	67:5	197:25
227:23	209:1	68:20	199:16
turn 135:9	226:22	69:1	199:24
turned 130:19		70:13 70:22	212:22
131:4 143:2	<hr/> U <hr/>	72:17	213:23
turning	U.S 29:19	78:8	216:6
132:20	Uh-huh 11:5	79:10 79:19	216:21
132:23	13:14	79:22 79:25	217:4 225:1
132:24	14:8	80:9	226:25
133:20	15:22 17:18	80:12 87:13	228:11
133:24	17:24 18:11	87:23	ultimate
135:11	18:25	90:8	225:20
171:4	19:7 19:9	93:21	ultimately
twelve 48:24	19:23 20:10	94:2 95:1	40:20
twen 25:17	22:16 23:19	95:5 95:8	227:25
twenties	25:11 26:19	95:13 95:22	umbrella
	28:7	97:6 105:24	51:20
		108:17	un 45:19
		115:13	unarmed
		115:16	
		117:1 117:4	

135:24	212:18	Vanderbilt	31:1 67:9
uncommon 69:7	unpack	211:5	70:12 75:12
undergraduate	52:10	varied	76:1 77:3
12:23	220:22	22:10	77:7
understand	unselect	25:6	85:12 85:12
62:21 64:17	53:14	27:17 30:6	85:25 86:15
220:23	unshare 91:25	various	87:8 93:2
understood	untruthfulness	14:3	93:14 94:21
31:17	s 209:2	27:15	95:14 99:17
35:1	updated 80:10	32:9	100:6 101:4
38:20 55:11	upfront 75:6	34:11 71:12	103:16
118:9 128:2	upload 192:11	79:13 80:11	103:22
158:21	upon 97:15	139:6	105:21
uniform	98:11 99:17	vehicle	115:22
32:3	102:24	40:7 40:7	123:12
51:19	103:2	40:9 79:3	127:17
89:3 95:6	103:21	114:16	127:21
96:8 203:17	104:24	116:25	127:25
203:18	151:4 151:5	189:2 191:1	128:24
207:5	191:15	191:20	138:18
union 197:6	199:8 210:2	ventilator	138:19
197:24	223:19	36:6 36:8	138:20
198:1 198:2	upper 154:16	verbal	138:24
unique 169:2	upward 129:9	34:10	140:6
unit 23:21	upwards	52:4 64:9	140:17
32:16	161:19	73:1	140:18
42:8 150:16	usually 24:23	verbalize	141:2 141:5
150:20	28:2	99:15	141:21
unjust 90:6	43:22 92:11	Verizon 110:3	142:13
unjustif	121:4 121:7	110:4	142:18
212:7	166:23	110:24	142:25
unjustified		190:15	143:5 143:7
39:14		versus 7:9	143:18
43:3 45:7		8:18	143:18
45:8		VIC 85:23	144:3 144:7
45:16 45:20		91:23	146:4 148:1
45:25 132:5		166:16	148:3
194:25		video 7:7 7:8	149:15
212:1 212:7		8:1 30:22	150:6
			150:13
			150:22
			151:5
			151:21

152:3	172:25	158:10	206:5
152:12	173:6	210:7	waiting
152:22	173:13	viewed 117:10	205:25
152:25	173:17	viewing	walked 116:23
153:4	173:22	103:22	118:17
153:10	174:7 174:8	148:3 151:4	walking
153:12	174:14	151:5	116:22
153:15	175:2 176:2	Vincent 85:14	203:21
154:6	176:14	85:15 85:16	walk-
154:23	176:23	91:21	through
155:6	177:16	149:11	113:16
155:12	178:22	151:23	113:19
156:2	179:10	151:23	Walmart
156:13	179:22	172:23	49:9
157:11	180:8	violate 80:21	66:20 66:21
157:22	180:12	violated	70:1
158:8	180:20	40:18	96:11
158:25	187:15	violation	102:20
159:21	187:19	59:6 73:8	106:5
159:23	191:12	80:18	Warnke
160:1	191:16	violations	57:11
160:13	192:6 192:9	186:4 186:4	126:23
160:18	192:12	187:4	warranted
161:5 161:8	198:6 213:2	201:20	16:19 16:20
161:25	213:6	violence 28:4	59:20
162:7	225:10	violent 28:25	wasn't
162:19	225:13	29:6 29:7	54:22 61:20
163:14	230:12	29:16 32:12	81:11
164:21	230:13	35:15	120:19
165:2 165:7	videos	vision 27:7	120:21
165:17	10:21 75:21	51:24	123:22
166:14	92:8 115:23	63:9 63:18	123:25
167:14	136:18	voice 217:17	124:1
167:21	139:18	voluntarily	126:21
168:3	150:19	40:19	133:11
168:10	192:15	<hr/>	133:12
168:24	VIDEOTAPED	<hr/>	193:17
169:5	7:1	wait 201:21	199:17
169:12	view 92:13		201:7
170:4	92:14		203:21
171:25	100:16		
172:7	104:8		
172:16			

204:4	101:7 101:8	50:23	180:15
205:23	101:14	61:5 61:6	what-if 97:21
212:3	101:18	63:18	who 226:19
212:19	101:20	68:7	whenever
218:9	102:5 102:5	73:19 73:24	123:16
222:22	113:10	77:8	203:17
223:20	135:21	78:11 84:10	219:12
227:7	202:12	122:5	219:13
watch 92:8	202:18	123:11	Whereupon
92:9 127:25	weapons	137:6 144:4	30:24
127:25	202:18	144:8	77:5 87:8
140:8	202:20	144:14	94:21 95:14
157:19	wears 32:3	144:16	144:5
161:1	51:19	174:5	151:21
192:20	website	177:14	152:3
watched 75:25	229:19	177:14	152:22
94:16 116:7	We'd 150:23	180:9	152:25
127:18	week 125:8	180:13	153:4
128:24	125:14	213:3 213:7	153:10
138:19	222:16	224:21	153:15
139:22	222:16	225:11	154:6 155:6
141:1	weekend 125:9	225:14	155:12
142:25	weeks 53:22	230:15	156:2
159:9 198:6	we'll 50:18	wet 124:11	156:13
watching 67:9	114:18	we've 76:22	157:11
70:11 140:4	136:17	119:8 137:9	157:22
140:19	137:7 137:7	149:25	158:8
ways 80:23	142:10	154:13	159:21
91:11	161:2	166:13	160:1
196:19	161:22	187:25	160:13
weapon	164:19	187:25	160:18
49:16	176:13	188:1	161:5 161:8
67:1 67:6	179:20	212:20	161:25
73:4	225:6	whatever	162:7
87:22 87:24	we're 7:7	11:19 55:13	163:14
88:19 95:18	7:10 8:6	61:3 71:2	164:21
95:24	8:16 21:2	71:17	165:2 165:7
96:3	27:11	111:11	165:17
99:14 99:18	31:2 33:2	111:12	167:14
100:21	43:21 47:14	121:11	167:21
100:22		124:4	168:3
		170:13	

168:10	199:6	42:24	122:1
168:24	202:14	50:2	196:12
169:5 170:4	203:6	50:20 53:22	worker 119:25
171:25	204:18	80:23	120:8
172:7	208:12	108:12	120:14
172:16	217:10	108:21	121:1
172:25	218:23	109:1 109:9	working 24:18
173:6	220:4 227:1	109:16	38:8 48:4
173:13	228:1	119:13	48:5
173:17	228:15	119:18	67:20 67:21
173:22	whoever's	119:19	67:22
176:2	169:11	120:7	185:12
176:14	whole 48:1	120:13	185:17
177:16	116:10	120:18	202:23
179:22	who's 57:14	122:6 122:7	works 29:19
180:10	169:13	153:6	70:21
213:4	whose 114:19	198:16	worries 40:16
230:17	wife 114:6	202:16	92:2 146:9
whether	win/win	203:9	wound
17:2	211:13	203:10	129:18
38:18 63:17	winded 128:16	203:14	129:18
72:25 75:24	window 135:15	203:15	129:21
84:9	Wingerson	203:16	130:23
84:16	57:2 57:4	204:6 204:7	131:2 179:3
91:1	57:8	206:4	wounds 124:21
92:18 93:23	W-I-N-G-E-R-	209:14	128:19
94:16 110:8	S-O-N 57:4	213:16	129:2 129:4
111:3 111:6	witness 8:2	213:19	129:25
111:6	146:19	222:22	130:1 130:1
111:15	230:1	229:24	130:4 133:9
124:20	witnesses	worked	Wright
129:17	42:1 71:14	11:16 35:21	57:10 57:15
129:24	Woodlands	36:1	write 73:16
132:4	11:25 13:22	42:25 77:10	73:24
132:12	work 8:25	119:8	120:22
133:1	11:14 11:14	119:11	120:25
157:19	15:8	119:14	199:9
159:7 177:5	33:16 35:24	119:22	writing 34:11
179:7		119:24	120:4
186:25		120:9	221:11
193:5		121:14	
198:20			

222:12

wrong 81:2

81:4 90:5

90:12 93:11

121:22

121:24

122:3

wrote 198:9

199:21

wrought

67:2 67:3

Y

y'all

114:21

142:9

yet 164:13

you'll 27:21

younger 67:16

yourself

140:6

159:23

199:9

you've

10:15

60:5

60:14 76:12

122:5

165:21

174:6

178:15

178:18

Z

Z-Z 40:13